

ATTACHMENT BOOKLET

ORDINARY COUNCIL MEETING
28 AUGUST 2019

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That Council:

- ## COUNCIL DECISION

That the recommendation be adopted.

Minutes of the Ordinary Council Meeting held on Wednesday, 27 April 2016 and confirmed on Wednesday, 25 May 2016

Chairperson

DPG 02**Advertising Structures and Signage**

Strategic Direction	Liveable Safe City Deliver an efficient planning system which embraces sustainable urban renewal and development
Key Policy	Urban Development Plans
File Ref	072649.2016
Report By	Allan Campling - Executive Planner
Approved By	Toni Averay - Director Planning & Growth

EXECUTIVE SUMMARY

In response to representations to permit advertising signs in the form of billboard signs and third party commercial signs within the local government area (LGA), a review of Liverpool Local Environmental Plan 2008 (LLEP) and State planning controls applying to signage has been undertaken. Currently, billboard signs and commercial signs that advertise general goods or services are prohibited throughout the LGA. To permit these signs, an amendment to the LLEP is required that identifies "signage" as a permissible use within specified zones.

An analysis of potential benefits and impacts concluded that, in many zones, the erection of billboard signs and third party commercial signs would negatively impact the amenity of the surrounding areas. However, it is considered that, if sound design principles are applied, third party commercial signs would be appropriate in the City Centre. In principle endorsement for the proposed changes to the LLEP is sought from Council.

The analysis also identified that whilst the SP2 Infrastructure zone is extensive, an advertising design analysis may identify individual sites or precincts where commercial signage is appropriate. It is proposed that this analysis be undertaken as part of the comprehensive review of the LLEP.

RECOMMENDATION

That Council:

1. Endorses in principle the proposal to amend Liverpool Local Environmental Plan 2008 to prescribe signage as a use permissible with consent in Zone B3 Commercial Centre and Zone B4 Mixed Use.
2. Requests that the Liverpool Development Control Plan 2008 be amended to incorporate additional design guidelines for signage.

3. Delegates to the CEO the authority to approve a Planning Proposal to permit signage in Zone B3 Commercial Centre and Zone B4 Mixed Use for submission to the Department of Planning and Environment for Gateway Review.
4. Instructs the CEO to undertake an advertising design analysis to identify individual sites or precincts within the SP2 Infrastructure zone where commercial signs may be appropriate as part of the comprehensive review of the Liverpool Local Environmental Plan 2008.

REPORT

Background

Council officers have received representations seeking amendment to the LLEP to permit billboard signs and third party commercial signs.

Currently billboard signs and third party commercial signs that advertise general goods or services are prohibited throughout the LGA. For the purpose of this report these signs will be referred to as "Commercial Signs".

The types of advertising signs that can be erected or installed within the LGA are restricted to "building identification signs" and "business identification signs" which are located on the premises where the relevant business is carried out. These signs can only advertise the building; person or business located at the premises and can include a logo or other symbol but cannot include general advertising of products, goods or services.

Building identification signs and business identification signs are permitted with consent in all zones apart from SP1 Special Activities, SP2 Infrastructure and E1 National Parks and Nature Reserves. Building identification signs are permitted in E2 Environmental Conservation and E3 Environmental Management.

Council controls for signs

The Liverpool Development Control Plan 2008 (DCP) provides guidelines and controls for the erection or installation of building identification signs and business identification signs. These controls have been applied consistently and effectively to minimise the visual clutter and ensure that the signs do not impact visually on the surrounding locality. The DCP limits signs to the following:

Zone	Control
Rural	<ol style="list-style-type: none"> 1. One pole or pylon sign of not more than 2sqm in area and not exceeding 2m in height above ground level per lot. 2. One additional sign of not exceeding 0.75sqm in area on the face of a building where the business is carried out in an architecturally compatible manner.
Residential	One sign of not more than 0.75sqm in area attached to a solid masonry fence or one pole or pylon sign of not more than

Zone	Control
	0.75sqm in area and not exceeding 2m in height from ground level for each business operation or activity.
Business	One under-awning sign, one fascia sign and one top hamper sign on each shop or business premises.
Industrial	<ol style="list-style-type: none"> 1. One pole or pylon sign (including directory board for multiple occupancies) not exceeding 5sqm in area and 5m in height from ground level for each development. 2. For multiple occupancy development, one additional company identification sign, not exceeding 2 x 0.6m at the entrance to each occupied unit. 3. For single user development, one additional company identification sign is permitted at the rate of not exceeding 1sqm of advertising area per 3m of street frontage or a maximum of 50 sqm whichever is the less.

Exempt Development controls for signs

Certain categories of signs that have a minimal effect on the appearance of a building or place are identified as exempt development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or under Clause 3.1 of the LLEP and do not require development approval. The exempt development provisions apply to business identification signs and also address advertising on bus shelters, real estate signs and temporary signs for religious, cultural, political, social or recreational events.

Types of commercial signs

Whilst commercial signs can include a variety of types and sizes they are generally characterised as follows:

Sign type	Details
Freestanding and wall advertisements	Freestanding advertisements are mainly displayed on structures mounted on the ground by supports, while wall advertisements are generally painted on or fixed to the wall of a building. Sizes range from "Small format" (3 m x 1.5 m) to "Spectacular" which are over 50 square metres in area (standard dimensions are

Sign type	Details
	18.9 m x 4.5 m) and are generally located on highways.
Roof advertisements	Displayed on or above the parapet or eaves of a building. They may be freestanding structures or wall advertisements and range up to spectacular size (over 50 square metres).
Building wrap and hoarding advertisements	Building wraps are materials such as vinyl mesh used to cover or wrap buildings and hoarding signs are placed around construction sites.

State Environmental Planning Policy No 64—Advertising and Signage

State Environmental Planning Policy No 64—Advertising and Signage (SEPP 64) regulates the development of outdoor advertising signage. SEPP 64 outlines provisions relating to the design, placement and development of advertisements and advertising structures. The SEPP prohibits advertising and signage in heritage areas, environmentally sensitive areas, open space zones and residential zones (but not including B4 Mixed Use)

SEPP 64 does not permit advertising where it is otherwise prohibited under a LEP.

Under the SEPP the Minister for Planning becomes the consent authority for advertisements, where permitted under a LEP, on railway corridor land undertaken on behalf of Sydney Trains or NSW Trains, or undertaken on behalf of RMS on a freeway, tollway or associated land and structures such as bridges. Councils remain the consent authority in other circumstances.

The SEPP requires that a development application for signage cannot be approved unless it is consistent with the SEPP's objectives and is in accordance with a range of prescribed assessment criteria which include the character of the area, views, streetscape and safety.

Transport Corridor Outdoor Advertising and Signage Guidelines

The *Transport Corridor Outdoor Advertising and Signage Guidelines* (the Guidelines) have been prepared by the Department of Planning to complement the provisions of SEPP 64. The Guidelines outline best practice for the planning and design of outdoor advertisements in transport corridors, such as along classified roads, freeways, tollways, transitways and railway lines. The Department of Planning and Environment has recently exhibited a revised version of the Guidelines which, among other issues, introduce provisions for digital signage.

SEPP 64 consultation and review criteria

SEPP 64 prescribes a range of consultation and review criteria for the assessment of development applications for different categories of advertising structures and commercial signs:

Sign category	Consultation and review criteria
Advertisements greater than 20 square metres or higher than 8 metres	<ul style="list-style-type: none"> the applicant is required to prepare an impact statement that addresses the assessment criteria in the SEPP; and the application is advertised development in accordance with section 79A of the

Sign category	Consultation and review criteria
	EP&A Act.
Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road	<ul style="list-style-type: none"> • concurrence of the RMS is required; and • the RMS must take into the account the Guidelines and consider the impact of the advertisement on traffic safety.
Advertisements greater than 45 square metres	<ul style="list-style-type: none"> • a development control plan based on an advertising design analysis for the relevant area is required to be in force. • applications are required to be consistent with the Guidelines
Transport corridors	<ul style="list-style-type: none"> • The Minister for Planning is the consent authority for development applications for signs in transport corridors; • applications are required to be consistent with the Guidelines; • the Minister may appoint a design review panel to provide advice on the proposal
Advertisements in rural or non-urban land	<ul style="list-style-type: none"> • Council is required to prepare a development control plan, based on an advertising design analysis for the area, in consultation with the advertising industry, representative of local businesses, and the RMS if the land to is within 250 metres of a classified road.

Local zoning controls on commercial signs across the metropolitan area.

There is no consistency in local planning controls applied to commercial signs by councils across the metropolitan area. Prohibitions and permissibility of signs vary significantly across different land use zones.

It is generally accepted that signs are more commercially viable in locations with high volumes of passing traffic such as major road and railways. However, only three Metropolitan Councils permit advertising within Zone SP2 transport corridors.

Advantages and disadvantages of permitting commercial signs

The following briefly summarises some of the advantages and disadvantages of permitting commercial signs.

Disadvantages	Advantages
Road safety Advertising displays within the visual catchments of roads are designed to attract drivers' and passengers' attention. A reduction in driver attention away from the road has the potential to create a road safety hazard.	Economic Advertising and marketing play a significant economic role and contribute in excess of \$7.2 billion to the Australian economy annually. Outdoor advertising employs over 500 people in NSW (Outdoor Media Association - February 2016). Individual business and property owners, including public authorities, also benefit from rental income derived from

Disadvantages	Advantages
	ground or airspace rights for advertising structures.
Visual clutter Multiple signs in a locality can result in visual clutter resulting in a negative impact on a streetscape and making the locality visually unattractive. Large signs can also obscure attractive architecture and vistas.	Community benefit contribution Advertising revenue can contribute to funding the construction of public infrastructure, such as pedestrian bridges. Access to advertising space can be provided to emergency services, charities and local events, particularly with the introduction of digital sign technology.
Visual amenity Advertising signs, particularly in natural or rural areas can adversely impact the visual amenity, character and experience of an area.	Visual enhancement If sound design principles are applied, advertisements and signs may enhance the visual environment by contributing to visual diversity, interest and character and may enhance a sense of place. As a medium of expression, advertisements and signs may make a positive contribution to a streetscape.

Amendment to the Liverpool Local Environmental Plan to permit commercial signs

To permit the erection or installation of commercial signs within the LGA it is necessary to amend the LLEP.

The *Standard Instrument* includes the following relevant definition:

signage means any sign, notice, device, representation or advertisement that advertises or *promotes* any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities

The amendment to the LLEP would involve identifying “signage” as a permissible use within the Land Use Table under Part 2. This would result in signage being permitted on all land within the identified zone.

Alternatively, signage may be identified as an Additional Permitted Use on nominated sites under Clause 2.5 of the LLEP. However the purpose of this clause is to provide a specific site or precinct response to a development proposal or land use. It is noted that the identification of signage as an Additional Permitted Use on land owned by a public authority may raise issues of competitive neutrality.

The following table provides an analysis of options to permit commercial signs in land use zones under the LLEP, noting that SEPP 64 prohibits advertising structures in certain zones.

Zone	Comment
RU1 Primary Production RU2 Rural Landscape Ru4 Primary Production Small Lot	The installation of billboard signs and commercial signs in rural areas, even when subject to rigorous controls can adversely impact the visual amenity and experience of the areas. Provision of signage would have to have regard to future Growth Centre planning.
B1 Neighbourhood Centre B2 Local Centre	Neighbourhood and Local Centres are by their nature located adjacent to low to medium scale residential areas. Advertising signs in these centres may result in additional visual clutter adversely impact the amenity of the adjacent residential areas.
B3 Commercial Centre B4 Mixed Use	These two zones constitute the Liverpool City Centre. Whilst the City Centre adjoins residential zones, the area has an urban character with medium to high density residential buildings. The areas attract high levels of pedestrian use with a slower, human scale at street level. If sound design principles are applied, advertisements and signs may contribute a sense of place and reinforce its role as a Regional City Centre as well as provide flexibility to create some benefit, particularly with digital signs in locations such as Macquarie Mall.
B5 Business Development	There is only a limited number of B5 zoned areas. The sites comprise bulky goods or "big box" type retailing and are in high visibility, car oriented locations with limited pedestrian activity. Consequently, the likely type of signage would be large freestanding signs having the potential to create road safety hazards. Commercial signs in these areas may also result in additional clutter and negative visual impacts.
B6 Enterprise Corridor	The B6 land is predominantly located along major traffic routes. The areas have a diverse and predominantly linear single storey built form with a significant amount of existing business signage. They are car oriented sites with limited pedestrian activity. Consequently, the likely type of signage would be large pylon or roof signs having the potential to create road safety hazards and result in additional clutter and negative visual impacts.
IN1 General Industrial IN2 Light Industrial IN3 Heavy Industrial	These areas are large and relatively contained with the outer edges adjoining major traffic routes. Commercial signs in these areas may result in additional clutter and negative visual impacts.
SP1 Special Activities SP2 Infrastructure	SP1 applies to the Cemetery and Airport site. The land within the SP2 Infrastructure zone is extensive and includes Defence land, drainage lands and transport corridor lands. Permitting advertising within

	<p>this broad zone may result in visual clutter which will adversely impact on the visual amenity of extensive areas of the local government area. However, whilst the SP2 zone is extensive there may be individual sites or precincts where commercial signage may be appropriate and identified as an additional permitted use under Clause 2.5 of the LLEP.</p>
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Consultation

A number of internal departments were consulted in preparing this report. It is noted that the Property and Commercial Development department is of the opinion that it would be appropriate to permit commercial advertising in a broader range of zones, including in the rural areas. They are particularly keen to have them permissible in the B6 zone. The department's opinion is that visual clutter will not result because the market will limit the number of signs erected

It is acknowledged that there is no consistency across the region regarding commercial signage and that there are arguments for and against making it permissible. It is considered that a prudent course of action is to support making Commercial Signs permissible in the B3 and B4 zones which are, in general, lower speed traffic environments with significant pedestrian activation and to monitor the impacts this strategy has. If the impact is considered acceptable and manageable, Council can then consider extending the strategy to other zones.

Conclusion

Billboard signs and third party commercial signs are currently prohibited within the LGA. However, should Council decide to permit commercial signs within the LGA, the following are considered:

Option 1

Permit commercial signs in all zones allowed under SEPP 64.

Option 2

Permit commercial signs in all or any of the following zones: B5 Business Development, B6 Enterprise Corridor, IN1 General Industrial, IN2 Light Industrial, IN3 Heavy Industrial.

Option 3

Permit commercial signs in the City Centre in the B3 Commercial Centre and B4 Mixed Use zones.

Option 4

Undertake an advertising design analysis of the SP2 Infrastructure zoned land to identify individual sites or precincts where commercial signage may be appropriate and list as an additional permitted use under Clause 2.5 of the LLEP.

The above analysis of potential benefits and impacts concluded that, in many zones, the erection of billboard signs and third party commercial signs would result in negative visual impacts and have the potential to create a road safety hazards. It is recommended that a precautionary approach be adopted and that commercial signage not be introduced across all zones.

However, it is considered that, if sound design principles are applied, commercial signs would be appropriate in the City Centre, acknowledging that this area is a relatively low speed traffic environment with considerable pedestrian activation and a wide variety of built forms. It is considered that additional signs in this locality may contribute a sense of place and reinforce its role as a Regional City Centre as well as providing flexibility to create some benefit, particularly with digital signs in locations such as the Macquarie Mall.

An advertising design analysis may also identify individual sites or precincts within the SP2 zone where commercial signs may be appropriate. However, as this analysis is likely to be a significant body of work, it is proposed that it be undertaken as part of the comprehensive review of the LLEP.

Next steps

Should Council agree to permit commercial signs within the City Centre, a Planning Proposal will be finalised for the CEO's delegated approval for submission to the Department of Planning and Environment for Gateway Review.

It is also proposed that the DCP be amended to incorporate additional design guidelines for signage.

Subject to Council's endorsement, officers can undertake an advertising design analysis to identify individual sites or precincts within the SP2 Infrastructure zone where commercial signs may be appropriate as part of the comprehensive review of the LLEP.

CONSIDERATIONS

Economic and Financial	Facilitate economic development.
Environmental and Sustainability	There are no environmental and sustainability considerations.
Social and Cultural	There are no social and cultural considerations.
Civic Leadership and Governance	There are no civic leadership and governance considerations.

ATTACHMENTS

Nil



Planning Proposal

***Draft Liverpool Local Environmental Plan 2008
(Amendment 69)***

***To permit 'signage' with consent in land zoned
B3 Commercial Core and B4 Mixed Use.***

January 2018

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Background

The Liverpool Local Environmental Plan 2008 (LLEP) controls applying to signage have been reviewed by Liverpool City Council in response to a review of Council assets and to representations received by Council to permit third party advertising signage within the local government area (LGA). To permit third party advertising signs, an amendment to the LLEP is proposed that identifies 'signage' as a permissible use within specified zones.

'Building identification signs' and 'business identification signs' are currently permitted to be erected or installed in most of the LGA. These signs can only advertise the building, person or business located at the premises where the sign is located. They can include a logo or other symbol, but cannot include general advertising of products, goods or services. Third party advertising signs that advertise general goods or services are prohibited throughout the LGA.

An analysis of potential benefits and impacts of permitting signage throughout the LGA concluded that in many zones the erection of third party signage would negatively impact the amenity of the surrounding areas. It was considered that third party advertising signs would be appropriate in the City Centre if sound design principles are applied.

Following this analysis, Liverpool City Council resolved at its meeting on 27 April 2016 to pursue an amendment to the LLEP to permit signage with consent in B3 Commercial Core and B4 Mixed Use zoned land. This proposal implements that resolution.

A concurrent amendment to the Liverpool Development Control Plan 2008 (LDCP) will be prepared to incorporate additional design guidelines for third party advertising signage. This amendment will rationalise the existing signage standards and add controls and guidelines for third party advertising signs and for electronic advertising signs.

Site identification

The planning proposal will amend *Liverpool Local Environmental Plan 2008* to prescribe 'signage' as a use permissible with consent in Zone B3 Commercial Core and Zone B4 Mixed Use. This will affect all land within these zones. The B3 Commercial Core and B4 Mixed Use zones are currently only found within the Liverpool City Centre. However, there is the possibility that land rezoning may increase the area of B3 and B4 zoned land within the Liverpool LGA in the future.

Delegation of Plan Making Function

As the proposed amendment is considered to be minor, it is requested that the making of the plan be delegated to Council.

Part 1 – Objective

The objective of this planning proposal is to amend *Liverpool Local Environmental Plan 2008* to allow third party advertising signage in appropriate locations within the Liverpool City Centre.

Part 2 - Explanation of provisions

The proposed outcome will be achieved by permitting third party advertising signage with consent within B3 and B4 Zones.

The *Standard Instrument* includes the following relevant definition:

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- (a) an advertising structure,
- (b) a building identification sign,
- (c) a business identification sign,

but does not include a traffic sign or traffic control facilities.

The amendment to the LLEP would allow advertising structures and other signage with consent in B3 and B4 zones. The amended LLEP clauses are shown below:

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To strengthen the role of Liverpool city centre as the regional business, retail and cultural centre of south western Sydney.
- To ensure that, for key land in the Liverpool city centre, opportunities for retail, business and office uses exist in the longer term.
- To facilitate a high standard of urban design and exceptional public amenity.

2 Permitted without consent

Nil

3 Permitted with consent

~~Building identification signs; Business identification signs~~; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Group homes; Helipads; Heliports; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Restricted premises; Roads; ~~Signage~~; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To allow for residential and other accommodation in the Liverpool city centre, while maintaining active retail, business or other non-residential uses at street level.
- To facilitate a high standard of urban design, convenient urban living and exceptional public amenity.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Boarding houses; ~~Building identification signs; Business identification signs~~; Car parks; Child care centres; Commercial premises; Community facilities; Depots; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Helipads; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Medical centres; Multi dwelling housing; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Service stations; Shop top housing; ~~Signage~~; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals; Water recreation structures

4 Prohibited

Any development not specified in item 2 or 3

Part 3 - Justification

A. Need for the planning proposal

3.1 Is the planning proposal a result of any strategic study or report?

This planning proposal is the result of a review by strategic planning staff of planning controls regarding signage in Liverpool and other councils in New South Wales. This review occurred as the result of representations from landowners and discussions with Council staff regarding the future use of Council assets.

3.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Permitting development within the Liverpool City Centre for the purpose of third party advertising signage requires amending the controls in the LLEP. An amendment could either change the permitted uses in the B3 and B4 zones, or identify 'signage' as an additional permitted use on nominated sites under clause 2.5 of the LLEP.

An alternative approach using clause 2.5 of the LLEP would not correspond to the intended use of clause 2.5 to provide a specific site or precinct response to a development proposal or land use. In addition, allowing signage on only certain sites would raise issues of competitive neutrality. For these reasons, making signage permissible with consent in land zoned B3 and B4 is considered to be the best way to achieve the intended outcomes.

B. Relationship to strategic planning framework

3.3 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Metropolitan Strategy – A Plan for Growing Sydney

This planning proposal is consistent with NSW Government's *A Plan for Growing Sydney* (henceforth PFGS). Relevant directions from PFGS include:

- Direction 1.4 Transform Western Sydney through growth and investment, and
- Direction 1.7 Grow centres that provide more jobs closer to home.

This proposal responds to these directions by allowing third party advertising in Liverpool City Centre, which will increase the viability of existing businesses, help to create a vibrant and lively atmosphere consistent with Liverpool's status as a regional city, and help to bring investment into the City Centre.

Draft Western City District Plan

This planning proposal responds to planning priorities in the Draft Western City District Plan to strengthen existing centres in the Western City, including Liverpool. The most relevant priority is Planning Priority W9: Growing and strengthening the metropolitan city cluster.

This proposal is consistent with Productivity Priority W9 because:

- The proposal will generate revenue for businesses in the Liverpool City Centre from the rental of third party advertising signs. This will encourage investment and so encourage economic growth, which will assist in the delivery of job targets for the Liverpool City Centre.
- Permitting appropriately designed third party advertising signage in the City Centre would reflect the historic and continuing status of Liverpool as the strategic centre of South-West Sydney and part of the metropolitan city cluster
- It is only proposed to permit third party advertising signage in areas zoned B3 and B4 within the City Centre. This would reflect the higher intensity of activity in the City Centre. Other areas framing the City Centre would continue to be limited to business identification and building identification signage.

This proposal is consistent with the relevant actions under this priority, which are:

Action	Response
37. In addition to the collaboration area process outlined above, carry out the following: <ul style="list-style-type: none"> a) Protect, develop and expand the commercial core b) Improve and coordinate transport and other infrastructure to support jobs growth c) Develop smart jobs around the health and education precinct d) Build on the centre's administrative and civic role e) Improve public domain including tree-lined, comfortable open spaces and outdoor dining f) Improve connectivity and links to the Georges River and prioritise pedestrian, cycle and public transport facilities g) Encourage a vibrant mix of uses new lifestyle and entertainment uses to activate streets and grow the night-time economy 	<p>Third party advertising signage will generate revenue for businesses which will assist in the development of the commercial core.</p> <p>Appropriate third party advertising signage would contribute to the atmosphere of the Liverpool City Centre, improving the public domain and encouraging a vibrant mix of lifestyle and entertainment uses.</p>

h) Capitalise on the Western Sydney Airport and Western Sydney City Deal initiatives	
42. Develop and implement land use and infrastructure plans for the metropolitan city cluster by:	Allowing third party advertising in the City Centre can would support commercial development and if well designed would improve the quality and vibrancy of the Liverpool City Centre. This would assist in the attraction of cultural, entertainment, arts and leisure activities.
a) supporting commercial development, aerospace and defence industries and the innovation economy	
b) supporting internationally competitive freight and logistics sectors	
c) planning vibrant strategic centres and attracting health and education facilities, cultural, entertainment, arts and leisure activities	
d) creating high quality places with a focus on walking and cycling	
e) improving transport connections across the District	

3.4 Is the planning proposal consistent with Council's local strategy or other local strategic plans?

Our Home Liverpool 2027

The planning proposal is consistent with the Liverpool Community Strategic Plan – *Our Home, Liverpool 2027*. Allowing well designed third party advertising signage in the City Centre would help activate this area, create a vibrant atmosphere and contribute to a sense of place. In particular allowing third party advertising signage is consistent with the directions:

Strengthening and Protecting Our Environment

Liverpool City Council will:

- Exercise planning controls to create high-quality, inclusive urban environments

Liveable Safe City

Liverpool City Council will:

- Attract businesses for economic growth and employment opportunities
- Create an attractive environment for investment

Liverpool City Centre Vision (2007)

The planning proposal is consistent with the Liverpool City Centre Vision. Section 2 of the policy outlines the Vision for the Liverpool City Centre. The most relevant directions of the vision are addressed below.

Direction	Consistency/Response
Creating a Living City	This direction focuses on creating a City Centre which has a mix of different uses and spaces with a 'lively atmosphere during the day and night'. Appropriate third party advertising signage can contribute to the atmosphere of a space. It can help to add vibrancy and contribute to sense of place.
Ensuring Human Scale Active Street Edges	Allowing third party advertising in the City Centre can 'complement pedestrian functions and add interest and vitality at street level'.

3.5 Is the planning proposal consistent with the applicable State Environmental Planning Policies?

The planning proposal is consistent with the State Environmental Planning Policy No 64 - Advertising and Signage. The aims of SEPP 64 are outlined in cl 3 of the SEPP:

- (1) *This Policy aims:*
- (a) *to ensure that signage (including advertising):*
 - (i) *is compatible with the desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
 - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
 - (c) *to provide time-limited consents for the display of certain advertisements, and*
 - (d) *to regulate the display of advertisements in transport corridors, and*
 - (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors*

This planning proposal is consistent with the aims and objectives of SEPP 64, and does not introduce any potential land uses conflicts with this SEPP. SEPP 64 does not alter the permissibility of signage, and under this proposal third party advertising would only be allowed in B3 and B4 zoned land in the Liverpool City Centre, where such signage would be compatible with the desired character of the area. Any potential adverse effects of third party signage would be managed by the planning controls in SEPP 64 and the updated LDCP 2008.

3.6 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Section 117 Direction	Consistency / Response
1. Employment and Resources	
1.1 Business and Industrial Zones	Yes
(1)The objectives of this direction are to:	The inclusion of 'signage' as a permitted use will support the viability of the City Centre. Individual business and property owners in the City Centre will benefit from the rental income derived from advertising structures. If sound design principles are applied, advertisements and signs will enhance the visual environment of the City Centre by contributing to visual diversity, interest and character, and will enhance the sense of place.
(a) encourage employment growth in suitable locations,	
(b) protect employment land in business and industrial zones, and	
(c) support the viability of identified strategic centres.	
(4) A planning proposal must:	The planning proposal has no effect on the extent of business and industrial zones or available floor spaces for employment use.
(a) give effect to the objectives of this direction	
2. Environment and Heritage	
2.3 Heritage Conservation Objective	Yes
(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	A number of Heritage Conservation Areas and Heritage items in Liverpool City Centre fall within or in close proximity to the B3 and B4 zoned land in Liverpool City Centre.
	The inclusion of 'signage' as a permitted usage in these zones has the potential to negatively affect the amenity and conservation value of these heritage areas, as third

(4) A planning proposal must contain provisions that facilitate the conservation of:

(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.

party advertising signage could become visible from these areas or could impact heritage items.

These risks are addressed by SEPP 64, which will be complemented by an amendment to LDCP 2008. SEPP 64 prohibits advertising signage in heritage areas, and in Schedule 1 (2) requires signage to not detract from the amenity or visual quality of heritage areas. This requirement will be complemented by a rationalisation of controls applying to signage in LDCP, which will clarify standards relating to signage and introduce new standards concerning third party advertising.

6. Local Plan Making

6.1 Approval and Referral Requirements

Yes

The planning proposal does not cause the need for additional consultation or referral of development applications to a Minister or public authority.

7. Metropolitan Planning

7.1 Implementation of A Plan for Growing Sydney

Yes

(4) Planning proposals shall be consistent with:

(a) the NSW Government's A Plan for Growing Sydney published in December 2014

This planning proposal is consistent with NSW Government's *A Plan for Growing Sydney*, as outlined in section 3.3 of this proposal.

C. Environmental, social and economic impact

3.7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There are no critical habitats or threatened species, populations or ecological communities on land zoned B3 and B4.

3.8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no environmental effects which are likely to arise as a result of this Planning Proposal.

3.9 How has the planning proposal adequately addressed any social and economic effects?

Social Effects

There are potential social effects of including 'signage' as a use permissible with consent in B3 Commercial Core and Zone B4 Mixed Use zoned land. These include:

Visual clutter- multiple signs in a locality can result in visual clutter resulting in a negative impact on a streetscape making the locality visually unattractive. Large signs can also obscure attractive architecture and vistas.

Visual amenity - advertising signs can adversely impact on the visual amenity, character and experience of an area. This could impact on the public open space within the Liverpool City Centre, including Bigge Park and the Macquarie Mall.

Impact on heritage items - The inclusion of 'signage' as a permitted usage in these zones has the potential to negatively affect the amenity and conservation value of these heritage areas, as third party advertising signage could become visible from these areas or could impact heritage items. These risks are minimised by SEPP 64, which will be complemented by an amendment to LDCP 2008.

These potential adverse impacts are addressed by SEPP 64, which will be complemented by a rationalisation of the development standards applying to signage in LDCP 2008.

Economic Effects

Including 'signage' as a use permissible with consent in B3 Commercial Core and Zone B4 Mixed Use zoned land will have a positive economic effect on the Liverpool LGA. Individual business, property owners, and public authorities will benefit from the rental income derived from appropriate managed third party advertising.

D. State and Commonwealth interests

3.10 Is there adequate public infrastructure for the planning proposal?

The proposed addition of 'signage' as a permitted use in B3 and B4 zones does not create the requirement for any public infrastructure.

3.11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

This section is to be completed following the Gateway Determination, which will determine the consultation required.

Part 4 – Mapping

No maps are proposed to be amended by this planning proposal.

Part 5 - Community Consultation

Community consultation would take place following a Gateway determination in accordance with the Gateway Determination directives. It is anticipated that public exhibition would include;

- Notification on the Liverpool City Council Website;
- Advertisement in the local newspaper;
- Advertisement at Council's Administration Centre; and,
- A 14 day exhibition period.

Part 6 – Project Timeline

The proposed timeline for the delivery of the planning proposal is:

Timeframe	Action
January 2018	Submission of Planning Proposal to DP&E
March 2018	Gateway Determination
June-July 2018	Community consultation
September 2018	Post-exhibition Council report
November 2018	Drafting and making of amendment

BIANNUAL PERFORMANCE REPORT.



LIVERPOOL
CITY
COUNCIL



Introduction

Section 404(5) of the *Local Government Act 1993* requires every council to report on progress with respect to the principal activities detailed in its Delivery Program. This report outlines Council's progress for the period of 1 January to 30 June 2019.

A Snapshot of Integrated Planning and Reporting Suite of Documents

Liverpool City Council has prepared a suite of Integrated Planning and Reporting documents in accordance with sections 402-405 of the *Local Government Act 1993*. This suite of documents includes the 10-year Community Strategic Plan *Our Home Liverpool 2027*, the four-year Delivery Program delivered through four annual Operational Plans, the Workforce Management Plan, the Asset Management Plan and Long-Term Financial Plan.

The Delivery Program activates the Community Strategic Plan, which has been developed in consultation with the Liverpool community. *Our Home Liverpool 2027* outlines the long-term vision for Liverpool City by identifying four key directions that relate to the quadruple bottom line. The combined Delivery Program and Operational Plan details Council's actions including key performance indicators (KPIs) and milestones that have been provided to measure the overall progress in achievement of the vision outlined in the Community Strategic Plan.

Summary of the Biannual Report January to June 2019

The Delivery Program 2017-2021 and Operational Plan 2018-19 includes 110 actions that measure Council's progress in achieving the vision outlined in the Community Strategic Plan. There are 103 actions (94%) which are reported *on track* and nine reported as *needing attention*. The status of each action is represented with the following symbols:



On track Needs attention Deferred

Highlights



Casula Parklands Opening

Liverpool City Council's most exciting adventure playground, Casula Parklands, opened on Saturday, 4 May 2019. Families enjoyed delicious free food, live music and all the delights of the \$4 million state-of-the-art adventure playground. The parklands also include off leash dog parks, a ninja training circuit and outdoor fitness gym.



Bernera Road Opening

Liverpool Council and the local community celebrated the opening of Bernera Road in Edmondson Park on Saturday, 25 May 2019.

A 1.35km stretch of Bernera Road (formerly known as Croatia Avenue) between Camden Valley Way and Edmondson Park train station was reconstructed and widened using more than 30,000 tonnes of recycled road base and asphalt.

Nearly \$16 million of the total \$35 million cost was funded by the NSW Department of Planning, with Liverpool City Council providing the balance.



Children's Parliament

The fifth Children's Parliament sitting was held on 12 June 2019 at the Council Chambers attended by school representatives, teachers, principals, families and politicians. There were 40 Parliamentarians from 10 primary schools in the 2168 postcode area that presented on issues of safety, childhood obesity, unhealthy eating and cultural discrimination.

These key issues were identified through a survey of 686 students from grades 4-6. The Parliamentarians sought advocacy and commitment from all levels of government to bring positive outcomes for children. In preparation for the sitting, Parliamentarians participated in 38 sessions including focus groups, a visit to NSW Parliament, workshops and small educational group sessions.



Pride of Place Exhibition

Liverpool proudly celebrated its Aboriginal heritage with the launch of the 'Pride of Place' exhibition at Carnes Hill Library in February 2019. The display showcases 155 Aboriginal artefacts that are estimated to be at least 4000-8000 years old. The artefacts on display were remnants of Neolithic stone tool making and were uncovered during test excavation before the construction of the Carnes Hill Community and Recreation Centre. The display provided an opportunity to share local Aboriginal culture and stories.



Liverpool on a Roll

The inaugural Liverpool On A Roll food festival was met with unprecedented interest from local residents and people from across South West Sydney, attracting 10,000 people on the night. Despite an unseasonal cold-snap, crowds stayed for hours enjoying the ambience, entertainment and an array of dishes 'on a roll'. The event was an opportunity to promote local restaurateurs – inviting them to showcase their cuisine as a pop-up food stall. Attendees and stallholders were extremely pleased with the event.



Soft Centre at Casula Powerhouse Arts Centre

In its second year, Soft Centre delivered a one-day festival of radical performance art, installations, one-off collaborations and an electronic music. CPAC's vast industrial spaces were transformed, and the second iteration of Soft Centre showcasing the talent in Greater Western Sydney by highlighting local performers on their own specially curated stage. For the second year running, the 2018 Soft Centre won the Fbi Radio Sydney Music, Art and Culture (SMAC) award for its carefully thought out and innovative program in Liverpool Council's Cultural Facility.



Pan Pacific Safe Community Accreditation

Liverpool was accredited as a Pan Pacific Safe Community on 7 March 2019. In being accredited, Liverpool joins an international network of communities which follow a set of core criteria that emphasise community leadership, participation, communication and networking in order to make the city a safer place to live, work and visit. This accreditation was made possible through strong local partnerships with key community partners such as NSW Police, NSW Health, and local community service providers.



Commitment to Religious Harmony

In response to the horrific terror attack in Christchurch, New Zealand in March 2019, Council, in partnership with the Western Sydney Migrant Resource Centre, hosted an event that brought together people from all faiths and cultural groups to sign a Declaration on Cultural and Religious Harmony. Coinciding with National Harmony Day, the event, held in Macquarie Mall in the Liverpool City Centre, renewed the commitment of all Liverpool community groups, regardless of their cultural or religious beliefs, to living in peace and harmony in Liverpool.



New Technology at Carnes Hill

Council is continually assessing new technologies to improve services to the community. In the latest initiative pin-code entry panels have been installed at the Carnes Hill Community Centre as a trial to improve the user experience at our community facilities.



Movies in the Mall

Liverpool families enjoyed free films on the first Friday of every month in 2019, with Movies in the Mall. This initiative has been well received by the community with family's grabbing a bite to eat from the food truck and enjoying.



Funding for VC Scott Memorial Park

Council has worked successfully with the Austral Soccer Club to secure a \$70,000 grant through the Federal Department of Infrastructure, Transport, Cities and Regional Development. This grant will be used for improvement works at VC Scott Memorial Park that will include awning and BBQ construction, safety fencing and irrigation works to support the Soccer Club's activities.



ANZAC Day






The annual ANZAC Day Dawn Service has delivered in collaboration with the Liverpool RSL Sub Branch. The Dawn Service commenced with a march from the John Edmondson VC Memorial Club to the Liverpool War Memorial at Bigge Park. A catafalque party commenced the Dawn Service proceedings which was attended by approximately 3500 people. Amongst the attendees were Members of Parliament, veterans, Defence Force personnel, schools and community members.






Celebrate diversity, promote inclusion and recognise heritage





Action	Description	Comment	Status
C.01.01	Promote and manage heritage	Council continues to work towards achieving goals outlined in the Liverpool Heritage Strategy. There have been some project delays due to external factors, however it is anticipated that these projects will commence in the new financial year. 94 per cent of heritage referrals for development applications have been completed within 10 working days.	
C.01.02	Manage Liverpool Regional Museum to attract visitors	The Liverpool Regional Museum has continued to expand its exhibition output and has continued to increase its positive media coverage working in partnership with other Liverpool City Council cultural facilities Casula Powerhouse Arts Centre and Liverpool City Library.	
C.01.03	Deliver citizenship ceremonies	Council hosted six Citizenship Ceremonies in the last six months. On 10 April, 21 May and 24 June 2019 at Casula Powerhouse Arts Centre where 360 Liverpool residents became new Australian Citizens. Council will continue hold Citizenship ceremonies monthly and will organise additional ceremonies as required to reduce the waiting list.	
C.01.04	Implement actions from the Reconciliation Action Plan	Council's 'Sorry Day' event was held at the Liverpool Regional Museum and the Australian Botanic Garden, Mount Annan on 24 May 2019. This event provides an opportunity for community members, both Indigenous and non-Indigenous, to learn about and reflect upon the Stolen Generations and subsequent impacts on Aboriginal and Torres Strait Islander communities. Council continues to advocate for better employment outcomes for Aboriginal and Torres Strait Islander community members by supporting the development of an Aboriginal Employment Strategy as part of Council's wider Employment Strategy, which encompasses equal employment opportunity principles for all community members.	

Deliver a range of community events and activities

Action	Description	Comment	Status
C.02.01	Deliver events schedule	The full events schedule including the debut of a new event, Liverpool on a Roll has been delivered for 2018/19 and planning is underway for the next financial year.	
C.02.02	Manage civic events calendar	Council hosted a number of key events which included the new adventure play space at Casula Parklands on 4 May 2019 and the new Bernera Road Extension on 25 May 2019, both attracting more than 1000 attendees. Planning continues for the incoming student delegation from Toda in July 2019 and outbound student delegation in September 2019.	
C.02.03	Manage Anzac Day Dawn Service ceremony	The ANZAC Dawn Service in collaboration with Liverpool RSL and Liverpool Council was well received with 3500 attendees.	
C.02.04	Deliver engaging library programs	Liverpool City Library continues to strengthen partnerships and make new connections. Programs and Outreach have concentrated on developing and growing its audience to increase the reach of communications. New lifestyle programs have been offered such as Green Cleaning, Beeswax Wraps and Terrariums and Tea and have been at full capacity. With the success of these programs the library is looking forward to offering more creative and sustainable lifestyle programs in the coming year including Photography Basics and Science Talks.	
C.02.05	Deliver Casula Powerhouse Arts Centre programs	The Casula Powerhouse Arts Centre continues to deliver a wide range of exhibitions, theatre performances, education and public programs and community events for Liverpool. Some highlights include Powerhouse Voices, The Golden Boys, Homelands World Music Tour, Twelfth Night, Tree of Life, Australian Poetry Slam and Sydney Writer's Festival. For the 2018/2019 period CPAC hosted 24 exhibitions and 29 Theatre/Music Programs.	



Implement access and equity for all members of the community

Action	Description	Comment	Status
C.03.01	Deliver high-quality childcare services	Community programs, such as the Transition to School program and supported playgroups continue to be delivered successfully at the libraries with ongoing demand demonstrated by the number of families on the wait lists. In January 2019 Warwick Farm Early Education and Care Centre was assessed against the National Quality Standards with the service receiving a rating of 'Exceeding National Quality Standards' in all seven quality areas highlighting Council's solid position as a benchmark service in Liverpool. In June 2019, Casula Preschool was assessed against the National Quality Standards, with the service being commended on its quality learning environments for children. Satisfaction surveys were distributed to families to gauge the effectiveness of Council practices and service delivery. The survey identified a satisfaction rate of 95 per cent with minimal feedback provided for areas of improvement.	
C.03.02	Provide well used and appropriate resources at Liverpool Libraries	The new library website was launched on 3 April 2019 and has been well received with the community who are finding it easier to navigate. As a result online memberships have increased.	
C.03.03	Deliver Council-led programs that strengthen social inclusion and build community capacity	Council continues to partner with and provide support to a large number of local service providers and programs through Council's Grants, Donations and Corporate Sponsorship programs. In the 2018/19 financial year Council provided \$430,000 worth of funding for 62 community projects and programs that benefit the Liverpool community. Council works closely with a number of key community services to deliver a range of programs specific to Culturally and Linguistically Diverse (CALD) communities. These programs promote social cohesion and inclusion for community members of refugee and migrant backgrounds by engaging them in education, skills development, and social activities.	
C.03.04	Strengthen social inclusion in new developments	Council's Community Planning team assessed and completed 21 social impact assessments in the last six months, including those relating to Liquor and Gaming, Development Applications and State Significant Developments.	



Action	Description	Comment	Status
C.03.05	Implement actions from the Disability Inclusion Action Plan (DIAP)	A portable hearing loop is now available for use at Liverpool City Library. This facility uses both t-Coil and Infrared technology to ensure that all community members are able to participate in community meetings, training, and events held at Council facilities. A series of information sessions for seniors were held at Liverpool City Library from February to April 2019. Local seniors were entertained at the annual Liverpool Seniors Concert held over two days at Liverpool Catholic Club on 17-18 April 2019. More than 900 local seniors attended. The South West Sydney Disability Expo was held on 5-6 April 2019 at the Whitlam Leisure Centre. More than 1500 community members.	
C.03.06	Implement actions from the Youth Strategy and Action Plan	Council delivered school holiday activities in concurrence with Youth Week providing a holistic program of events for local young people, including opportunities to engage in sport, art and community activities. A total of 650 young people participated in school holiday and Youth Week events across Liverpool in April 2019.	
C.03.07	Deliver community projects and programs in collaboration with stakeholders	Council continues to collaborate with government and non-government agencies in order to facilitate planning and partnership projects. Liverpool's ClubGRANTS scheme was delivered, with 54 community programs and projects funded for more than \$780,000. Council convened four sector-specific interagency with local stakeholders. The interagency provide opportunities to collaborate on projects and programs for the Liverpool community and provide strategic support and guidance to non-government organisations.	
C.03.08	Deliver the Community 2168 Project in partnership with South West Sydney Local Health District and Department of Family and Community Services	Collaborative efforts continue with residents, and government and non-government agencies to plan and deliver a broad range of community engagement activities, events and support community capacity building programs. The Miller Community Centre continues to be a central location to facilitate training (employment and education) opportunities and as an outlet to the local sector and community groups for meetings and social and recreation activities.	

Provide community facilities which are accessible to all

Action	Description	Comment	Status
C.04.01	Meet demands for community-connected spaces	Overall utilisation of community venues continue to meet target. While several centres were closed during the quarter for scheduled maintenance and renewal works, permanent hirees were accommodated in alternate centres. The Federal Elections were also held in May 2019, contributing to increased visits. Community venues also continue to be popular for social functions. A new licence tenant has started at Memorial Community Centre and the second round of the Licence Expression of Interest has commenced and successful applicants are expected to start in August 2019. Utilisation for community buses has significantly exceeded the target, brought by an increase in internal bookings and some casual bookings by community organisations.	
C.04.02	Provide clean community facilities	Target amount of cleans for the community venues has been achieved.	
C.04.03	Deliver Council's adopted upgrade and renewals program for building assets	The planned programs of works were substantially completed. Some major projects such as lift replacement at Warren Serviceway Car Park, City Library and Casula Powerhouse Arts Centre, and amenities building at Bigge Park are delayed due to circumstances beyond Council's control.	
C.04.04	Facilitate usage of Council sporting venues and leisure centres	Council continues to support recreation and sporting participation within the community through leisure centres and sporting venue provision. Council's leisure centres have received more than 370,000 visits during the last six months and Liverpool's sporting venues have experienced strong demand for winter season use from schools, community clubs and casual users.	
C.04.05	Enhance access to facilities and resources through place-based planning initiatives	Planning for a four court tennis court facility at McGirr Park Miller is complete and will be delivered by the end of 2019 calendar year. The Community consultation and needs analysis for the Carnes Hill Recreation Precinct is complete. Master planning for the revitalisation of Lighthouse Park to a district level recreation, open space and community hub is complete. Social infrastructure demand, utilisation and needs analysis for the revitalisation of existing assets is complete. Master planning for social infrastructure in Miller Town Centre has commenced, for completion by June 2020. The Live Life Get Active fitness and well-being camps have been highly successful with camps now operating at five locations across the Local Government Area.	

Action	Description	Comment	Status
C.04.06	Manage library spaces to attract and inspire visitors	Improvements in library services are reflected in increased visits and membership. Council's new library website has made it easier to join online and use services. Refurbishments to buildings have been well received by the community.	
C.04.07	Manage the Liverpool Animal Shelter	The Liverpool Animal Shelter exceeded all targets with 98 per cent of cats and 88 per cent of dogs re-homed within two months.	


Create a dynamic, inclusive environment, including programs to support healthy living

Action	Description	Comment	Status
C.05.01	Deliver Council's adopted upgrade, renewal and conservation program for recreation and green assets	All Open Space renewal and upgrade programs were completed in June 2019. Lurnea Community Hub and Cirillo Reserve are planned to be delivered over two program years. Construction of these two projects is programmed for 2019/2020.	
C.05.02	Support community recreation through funding	Sporting donations to individuals and teams representing at a regional, state and national level continue to be assessed and distributed on a quarterly basis with eight applications received this quarter. Council has assessed the 27 applications for the Liverpool Sporting Donations program and allocated a total of \$30,000 to the seven successful applicants.	






S

STRENGTHENING AND PROTECTING OUR ENVIRONMENT






Manage the community's disposal of rubbish

Action	Description	Comment	Status
S.01.01	Provide waste disposal services to the community	Council has seen a reduction in diversion from landfill due to the regulatory changes to Mixed Waste Organic Output that came into effect in October 2018. Illegal dumping requests were actioned within time frames and public place bin servicing program was 98 per cent completed. Council participated in seven meetings with neighbouring councils, which included Project 24 and Western Sydney Regional Organisation of Councils.	
S.01.02	Manage the Community Recycling Centre	Council has seen a 27 per cent increase in the community's disposal of rubbish compared to the same quarter in the previous year.	

Protect and enhance bushland, rivers and the visual landscape


Action	Description	Comment	Status
S.02.01	Manage Council's park maintenance program	The continued warmer weather saw a lot of resources focused on grass cutting through the first half of the year and follow up on storm damage. With the cooler periods officially here grass cutting has reduced and the focus has returned to customer requests for pruning and maintenance during the slower growing periods.	
S.02.02	Develop and implement improvement strategies, policies and programs for the management of stormwater	Water quality monitoring at selected locations along Georges River and South Creek catchment is underway under the ongoing water quality monitoring program. Council has developed a water quality monitoring report card, which has been published on Council's website. The report card will be updated quarterly.	
S.02.03	Make informed environmental decisions through the development of strategy, education and engagement	Council completed 100 per cent of ecological referrals for development applications within 10 business days. The result exceeds the target of 80 per cent.	
S.02.04	Assess applications to prune or remove trees	96 per cent of applications to remove or prune trees were processed within 10 business days or less. This result exceeds the target of 80 percent within 10 days.	
S.02.05	Manage contaminated lands under Council control	Investigations continue at the former gas works site, Speed Street, Liverpool. Procuring appropriate remediation contractor for Kurrajong Road remediation. Waiting on planning approval for remediation at Powell Park, former BMX track.	

Encourage sustainability, energy efficiency and the use of renewable energy





Action	Description	Comment	Status
S.03.01	Develop and implement environmental education for the community	The Sustainability Blitz workshop series has proven increasingly popular, with workshops consistently booking out and receiving positive feedback from participants. Community Tree Planting activities continue to draw community interest, though wet weather does impact participation. Council supported a number of additional activities with various community groups, in addition to the calendarised activities. The 2019 Speaking for the Planet event was a success, with Liverpool schools performing admirably in the regional competition.	
S.03.02	Educate the community in waste disposal	Council delivered six events and education programs and participated in two regional waste projects in the last six months.	
S.03.03	Develop and implement energy efficiency program	State Government initiatives on energy efficiency and renewable energy were promoted to the community via the 'Sustaining Liverpool' newsletter, Council workshops and the local media. These mechanisms were also used to communicate useful information to the community on a broad range of sustainability topics.	
S.03.04	Promote local and sustainable food sources	The Casula Powerhouse Arts Centre continues its commitment to healthy, sustainable food and a healthy sustainable environment, growing the majority of vegetables and herbs used at Bellbird Bar and Dining in the Organic Kitchen Garden. The new Air Bee & Bee (native bee hotel) has welcomed its first residents, and the Casula Fowl House is under construction, with new mulberry trees planted for it. The perimeter fence and main housing structure for the chickens will be built in July 2019.	
S.03.05	Upgrade Council properties to increase sustainability	LED lighting was installed in the 33 Moore Street car park which has further improved the National Australian Built Environment Rating System (NABERS) energy efficiency rating.	

Exercise planning controls to create high-quality, inclusive, urban environments

Action	Description	Comment	Status
S.04.01	Provide development assessment services	The number of actual Development Applications (DA) determined is lower than the expected target, and can be attributed to an increase in the complexity, size and cost of development applications submitted for assessment. An increase in the complexity of DA's has affected the determination of 50 per cent of DA assessed within 40 working days, due to the extensive and in depth level of assessment required, from internal and external agencies. With changes to the property and development markets, the Development Assessment team is continuously working on improving DA determination times without compromising on the attainment of appropriate planning outcomes.	
S.04.02	Develop, review and update asset management plans	Council continue to have up to date Asset Management Plans. Council updated its Building Asset Management Plan this year with latest valuation and condition information.	
S.04.03	Manage and maintain public health and safety compliance	The outcomes for health and safety compliance substantially exceed the targets in most areas. In addition, there has been a reduction in complaints received relating to non-compliant swimming pools which is a positive outcome.	
S.04.04	Investigate, survey, design and estimate cost of Council's infrastructure delivery projects	Investigations and design of capital works projects were completed on time to achieve capital works delivery target. Necessary design of major projects such as Edmondson Avenue, Manning Street Bypass design, Eleventh Avenue reconstruction and Fifteenth Avenue are progressing.	
S.04.05	Develop planning strategies	The studies to inform the Local Environmental Plan (LEP) review are on track. A number of studies have been completed to support the development of the Local Strategic Planning Statement and to guide a review of the LEP. These include the Local Housing Study, Social Infrastructure Study, Industrial Lands Study, Housing Feasibility and Housing Market Analysis. Strategies to complete during 2019/20 are Centres and Corridors Study, Rural and Scenic Lands Study, Sustainable Urban Mobility Plan and Sustainability Studies.	
S.04.06	Manage land development engineering	The Land Development Team is striving to improve efficiency of services that it provides to internal and external customers. There is an identifiable downturn in the construction & development industry which enables additional timing to be dedicated to improve the level of service provided to relevant stakeholders. The decrease of Development Applications and construction, the Land Development Team was still able to generate an income of \$1.08 million from the services it provides to the community.	

Action	Description	Comment	Status
S.04.07	Manage building fire safety certification	Under the Environmental Planning and Assessment Regulation 2000, inspection and maintenance of Council's property portfolio has been carried out by a competent fire safety practitioner to a standard no less than that to which the measure was originally designed, as identified on the building's fire safety schedule.	

Develop and advocate for, plans that support safe and friendly communities






Action	Description	Comment	Status
S.05.01	Implement actions from the Community Safety and Crime Prevention Strategy 2018-2022	Council continues to work collaboratively with a number of internal and external partners to increase safety and reduce crime in the Liverpool Local Government Area (LGA). Liverpool's accreditation as a Pan Pacific Safe Community demonstrates a sector-wide commitment to reducing crime and increasing public perceptions of safety within the LGA. Council continues to work with the South West Sydney Domestic Violence Alliance to implement initiatives which respond to increasingly high levels of domestic violence. Council's Community Safety and Crime Prevention Strategy and Action Plan 2019-2022 has been endorsed by Council. This plan provides a framework for Council to implement programs and initiatives which address crime and safety in the Liverpool LGA.	
S.05.02	Undertake a program of upgrades and renewals for drainage infrastructure	Relining of stormwater pipes to improve hydraulic capacity and provide extended service life in Busby, Hammondville and Holsworthy have been completed. Modification of an existing GPT at Wattle Grove Lake in Wattle Grove is complete. Basin 14 land acquisition and detailed designs are underway. Construction works are planned for commencement in 2019/20 program year subject to land acquisition being completed.	
S.05.03	Facilitate floodplain management strategies, policies, systems and programs for the controlled occupation of flood prone land	Overland flow path study for rural catchment areas has been completed. Detailed concept design for all stormwater infrastructure in Austral and Leppington North completed. Detailed design of stormwater infrastructure in East Leppington is underway.	
S.05.04	Provide assistance and support to the RFS and SES	Total funds expended of budget allocation.	







Meet the challenges of Liverpool's growing population

Action	Description	Comment	Status
G.01.01	Develop and manage the Long Term Financial Plan	Council is on track to achieve six out of seven key Fit for the Future (FFF) performance indicator ratios. The FFF estimates did not include unexpected expenditure on hazardous waste remediation that Council incurred in the past three years which increased the real operating expenditure per capita.	
G.01.02	Manage Council's childcare centres sustainably	Council's Early Education and Care Centres have maintained consistent utilisation over the 2018/2019 period operating at a capacity of 99.89 per cent highlighting the demand for Council services from the community. Council's focus on maintaining high quality facilities with ongoing revitalisation works enhances both the visual appeal and effectiveness of the learning environment, which in turn contributes to the high utilisation of Council services.	
G.01.03	Manage accounts and investments	Council's current average return on investment of 2.80 per cent is higher than the 1.99 per cent Ausbond Bank Bill Index. Council's Business Activity Statement for the past eleven months were lodged on due dates. Council's outstanding debt ratio of 3.51 per cent is lower than the benchmark of less than 5 per cent.	
G.01.04	Establish a Development Corporation	A Private Public Partnership model is currently under investigation. While Council progress the design development of several projects. Council have endorsed a progression of the project to the pre-expressions of interest stage.	
G.01.05	Build effective relationships with State and Federal departments and governments	Council met with three State Members of Parliament in the last six months. Council staff attended 88 meetings during the period with State and Federal departments to discuss topics such as Western Sydney International (Nancy-Bird Walton) Airport, planning proposals, road upgrades and public transport.	

Attract businesses for economic growth and employment opportunities


Action	Description	Comment	Status
G.02.01	Attract new jobs within Liverpool's industry focus areas	Facilitation of 13 solutions for major project developments occurred in the last six months. The City Economy Team continues to advocate for local people to fill new jobs as they occur via contribution at Pre Development Application (DA) meetings and in contribution to DA referrals. Regular advocacy is also occurring with the developers of the Moorebank Intermodal Terminal and Western Sydney Airport. Over 1000 new jobs were created this quarter in sectors including health, transport logistics, hospitality, advanced manufacturing, retail and professional services.	
G.02.02	Market Liverpool as a business destination	The City Economy team continues to generate and work on substantial lead pipeline well above target.	
G.02.03	Develop the economic capacity of local businesses and residents	The last quarter of 2018/2019 has seen a consolidation of strong efforts across business development/investment attraction, innovation and the visitor economy. There has been a steady rise in stakeholder engagement resulting in leads and conversions with over 3000 new jobs being created in the Local Government Area.	
G.02.04	Progress Liverpool as an Innovation City	Innovation actions are on track with the adoption of a City Innovation Strategy, the implementation and completion of the Smart Pedestrian project and ongoing discussions with city partners to develop an innovation hub in Liverpool.	
G.02.05	Monitor and advise Council on matters relating to the development of Western Sydney Airport	The Manager Aerotropolis and City Planning continues to advocate on behalf of Liverpool's residents with regard to the airport and the aerotropolis and actively promotes the city centre as a vital component of the airport's development.	

Create an attractive environment for investment

Action	Description	Comment	Status
G.03.01	Activate and develop vibrant places that attract residents, visitors and workers to Liverpool	The Destination Management Plan and City Activation Strategy are currently being implemented, including the launch of 'Love Liverpool' campaign. Increased activity in the city centre, combined with ongoing attendance and business participation, indicates that communities are embracing the city activations and engaging in activities in their Local Government Area.	
G.03.02	Manage maintenance and repair program	More than 25,000 square metres of road pavement have been repaired and resurfaced at various locations and 27 kilometres of road shoulder areas have been regraded and maintained. 6700 linear metre of concrete footpath, 1600 liner metre of kerb and guttering and 310 square metres of paved footpath have been reconstructed at a number of locations. A number of faded and missing line markings were reinstated on a number of streets including replacements and new installations of traffic signs at the cost of over \$475,000. All 105 gross pollutants traps within the Local Government Area were cleaned four times and rubbish was collected as per the cleaning schedule, including repairs of damaged drainage structures, and waterways weed removal. In addition, a number of street drainage pits were checked and cleaned. Due to the NBN rollout and electrical, water and gas supply upgrades to cater for the new developments, there were an influx of restorations works and as a result there is a slight delay in completing the permanent restoration works. 2800 customer requests were received for various maintenance works and these have been inspected and necessary actions were taken within the timeframes.	
G.03.03	Manage the delivery of Liverpool Civic Place	Following the gazettal of Amendment 52 to the Liverpool Local Environmental Plan, Council has resolved to proceed with Liverpool Civic Place, and Development Application plans are being prepared.	
G.03.04	Deliver Property Services	Council continues renegotiate its telecommunications portfolio with external stakeholders. While this negotiation has not been finalised, Council anticipates completion in the new financial year.	

Advocate for, and develop, transport networks to create an accessible city

Action	Description	Comment	Status
G.04.01	Deliver Council's adopted upgrade and renewals program for roads and transport-related assets	Council's adopted upgrade and renewals program for roads and transport related assets have been delivered successfully.	
G.04.02	Manage traffic and transport for Liverpool	Preliminary analysis of the traffic counts along Moore Street and other surrounding streets in the CBD indicate that the scoping investigation for a transit boulevard can be implemented without significant traffic impacts. In addition, Roads and Maritime Services have been requested to deliver two projects at Moore Street and Bathurst Street to assist with delivery of the Moorebank Transit project. Strategic design of Edmondson Avenue widening has been completed and Council has engaged a consultant to carry out the concept and detailed designs for the road upgrade. Options for improved wayfinding signage in the Liverpool City Centre is being considered and the scoping investigation for wayfinding signage will be prepared in 2019/20.	
G.04.03	Manage traffic and road safety on the local road network	The Road Safety 'Buckle Up' program continues to receive significant community attendance and appreciation. Other road safety initiatives, including Roads and Maritime Services/Police initiated programs, have also been implemented, such as road safety messages during key public holidays. In addition, Learner Driver seminars continue to be well attended. Design for the Coppasture Road and Kurrajong Road intersection upgrade has been completed. Council is awaiting Roads and Maritime Services approval for the upgrade and tenders have been called for the intersection improvement planned to be completed during the 2019 calendar year.	
G.04.04	Assess impact of land development	Assessment of Development Application referrals, Pre Development Applications and Planning Proposals were delivered in a timely manner. Council is liaising with the Roads and Maritime Services (RMS) on road widening of Moorebank Avenue to minimise the impacts of the Moorebank terminal developments. The road widening is to be carried out by the proponent of the Moorebank Intermodal developments. Representations continue to be made to Transport for NSW for improvements to the public transport network and to RMS in respect of priority projects such as Bringelly Road and planning for The Northern Road and M12 Motorway.	
G.04.05	Advise on regional traffic and transport planning	Council inputs have been provided to enable Roads and Maritime Services (RMS) to continue with the design and delivery of The Northern Road upgrade, Heathcote Road, M12 Motorway and Bringelly Road Stage two. Funding discussions have been held with the RMS and the Federal Department of Regional Development for the road sections of Governor Macquarie Drive between the Hume Highway and Munday Street and between Newbridge Road and Alfred Road.	




Action	Description	Comment	Status
G.04.06	Inspection of driveway constructions and management of road opening applications	1512 driveway inspections have been carried out and approved for construction. 1150 number of road opening applications were received between July 2018 and June 2019. Over 90 per cent of the applications have been processed and approved within the time frame.	










Seek efficient and innovative methods to manage our resources

Action	Description	Comment	Status
L.01.01	Provide support to Councillors and Executive Team	There were 870 Councillor requests received and actioned in the 2018/19 financial year, 225 of which were received and actioned in the fourth quarter. 68 per cent of the Councillor requests were responded to within the two-day timeframe. A report on Councillor requests was prepared and provided to Councillors and the Executive team each month. There were three Councillor Briefing Sessions and two Mobile Offices held in the fourth quarter. The Mobile Office received and actioned 92 requests in the 2018/19 period (36 of which were from the fourth quarter) and there were 174 speeches in the 2018/19 period (35 of which were from the fourth quarter) prepared for the Mayor or CEO this quarter.	
L.01.02	Deliver Council meeting Secretariat	Council agendas were prepared each month and posted on Council's website and LG Hub within timeframes. Minutes of Council meetings were completed each month and posted on Council's website within timeframes. All resolutions from Council meetings were assigned to relevant officers within 48 hours of the meeting with 345 Council resolutions assigned to relevant officers in the 2018/19 period (86 of which were from the fourth quarter). A report on Outstanding Resolutions was prepared and provided to Councillors and the Executive team each month and 87 per cent of resolutions were completed within timeframes.	
L.01.03	Monitor and improve Council's processes for Enterprise Risk Management	Council have undertaken a comprehensive risk review and have adopted a Risk Appetite Statement that will guide the organisation on risk tolerance and those risks Council is not willing to take. Risk treatments have been developed for all risks above Council's risk appetite. The Chief Executive Officer approved those risks above risk tolerance where is was identified not practical nor cost effective to implement additional risk treatments to manage risks.	


Action	Description	Comment	Status
L.01.04	Deliver professional, timely and authoritative governance services for Council	The Governance Unit provides ongoing support that is required to ensure that Council continues to maintain and exceed the ethical standards that are expected by the community. Work is currently underway to bring all policies up to date and communications are regularly sent and followed up to ensure maximum compliance with pecuniary interest and related party disclosure reporting.	
L.01.05	Manage recruitment framework to attract and engage diversity in our new employees	There was a decrease in the number of job applications received during the fourth quarter due to the lower number of positions that were advertised in comparison to previous reporting quarters. The prioritisation of the e-recruitment implementation has delayed work on the data collection project. The implementation of the E-recruitment system, will give Council the opportunity to explore, capture and analyse its job applicant and employee diversity profile.	
L.01.06	Manage IT Business Strategy	A process is in place to allow for continual IT testing. This is periodically completed and documented. Helpdesk tickets are being resolved within the key performance indicator time frame. On occasion, tickets are placed on hold as there may be a requirement for additional information from end users or vendors.	
L.01.07	Manage computer/infrastructure hardware administration program	Server network availability and the computer hardware refresh are on target and key performance indicators have been met. These targets ensure computer systems are highly available and Liverpool City Council can continue to provide quality services to the community.	
L.01.08	Conduct, review and improve Council's internal audit activities	The Audit, Risk and Improvement Committee meetings are on track and progressing as planned.	
L.01.09	Manage Council properties	The draft version of the Asset Plans are currently under review. The 33 Moore Street car park upgrade has been completed and the Liverpool City Council Properties Strategic Plan has been completed and adopted by Council.	
L.01.10	Coordinate the development of Council award submissions and industry recognition	Council entered the 2019 Ministers Awards for Women in Local Government and won the Elected Representative category and was Highly Commended for category Women in non-traditional roles. Council was also a finalist for the 2019 NSW Local Government Excellence Awards in two categories; People and Culture and Special Project Initiative.	
L.01.11	Provide support to various Council committees	Support was provided to 49 Committee meetings in the 2018/19 period.	

Action	Description	Comment	Status
L.01.12	Manage the delivery of high quality, cost-effective legal services	Legal Services continue the trend over recent years of completing a greater number of matters with a decreased reliance on external legal service providers. This has significantly reduced the cost to Council while not compromising the quality of service provided. An increase in the number of internal legal staff required a review of these KPIs in future reporting cycles.	
L.01.13	Manage employee performance achievement and development plans	73 per cent of staff has achievement and development plans, which is an uplift of 10 per cent from quarters three and four. It is noted that the City Presentation Directorate are not using People Achieving at present and staff are still being assessed via competency assessment process.	
L.01.14	Prepare asset-related Statutory Reports in a timely manner to meet regulatory requirements	Council continue to provide all asset related statutory reports including Condition of Public Infrastructure, Grant Commission Annual Returns to ensure that Council meets its statutory obligation and have access to available grants for infrastructure renewal.	





Increase community engagement








Action	Description	Comment	Status
L.02.01	Promote Liverpool through marketing and communications	Council produced a significant program of communications including engaging Facebook and Instagram posts, interesting and relevant flyers and agenda setting media releases.	
L.02.02	Increase attendance at Council events through marketing	Council organised Ideas 2170: Vital Signs: Meeting Liverpool's Health Challenges, which attracted an audience of 70 people. Communications supported a range of other events through media releases and social media posts.	
L.02.03	Develop and participate in business community consultation	Council is a Member of the Liverpool Innovation Precinct Committee, Committee for Western Sydney Taskforce, Western Sydney Leadership Dialogue, Western Sydney Attraction Office, Economic Development Australia, Western Sydney First and Western Sydney Business Connection. Included in these memberships are regular committee meetings, inputs to policy and procedural guidelines and negotiating high profile events and forums to be held in Liverpool.	
L.02.04	Manage community events to increase community engagement	The Liverpool Seniors Concert is held annually at the Liverpool Catholic Club and aims to engage seniors in a social activity that fosters networking opportunities and encourages community participation. This year's event held over two days on 17-18 April 2019 was attended more than 900 local seniors.	
L.02.05	Promote and market community facilities	There were more than 1800 visits to Community facility page website over the last six months.	
L.02.06	Partner with organisations to increase Casula Powerhouse Arts Centre audience reach	A range of popular programs, festivals and events has seen a significant increase in attendance at the Casula Powerhouse Arts Centre. External hiring of the venue also continues to increase. Bellbird Bar and Dining is attracting more people to the Centre to taste the fresh food on offer.	
L.02.07	Promote Casula Powerhouse Arts Centre through marketing and communications	Community engagement is continuing to increase through expanding marketing and publicity reach, targeted social media campaigns, printed brochures and program booklets, advertising in local papers and mainstream and alternative radio plus a range of other media.	






Encourage community participation in decision-making


Action	Description	Comment	Status
L.03.01	Encourage community participation in decision-making processes	Key community engagement activities this quarter include Council committees, District Forums, Liverpool Listens, interagencies and networks, and community events. A community engagement framework for social infrastructure planning has been developed.	

Strive for best practice in all Council processes

Action	Description	Comment	Status
L.04.01	Manage Council's customer service operations	The customer journey is being enhanced with the implementation of online services and our commitment to exceed community expectations. Recent mystery shopper results place Liverpool Council in the top three metropolitan councils in NSW for customer service.	
L.04.02	Manage and expand ePlanning Portal	The ePlanning system has undergone consolidation over the last six months as online lodgement of applications are fine-tuned following initial launch. The ePlanning team is actively working with counterparts at the NSW Department of Planning on the design and implementation of a range of ePlanning offerings to complement those on offer through Liverpool's ePlanning portal. Initiatives include online lodgement of DAs (centralised lodgement for NSW), integrated referral system for applications requiring assessment by NSW Government authorities and a data analytics project. Enhancements have been made to the ePlanning Portal, including application tracking and mapping of infrastructure provided by developers, increasing the accessibility and transparency of this important planning information.	
L.04.03	Manage and complete Integrated Planning and Reporting requirements	Council's Integrated Planning and Reporting requirements are being met. One quarterly report was produced during the quarter. The Delivery Program and Operational Plan for the 2019-20 Financial Year was completed and exhibited in April and May 2019 and was adopted at the Council meeting on 29 May 2019. Corporate Strategy is awaiting an update from the Office of Local Government on a set performance measurement framework.	
L.04.04	Prepare Annual Financial Statements	Council's financial statements were audited by Audit Office of New South Wales issuing an unmodified audit opinion on the financial statements on 29 October 2018. The audited financial statements were presented to the Council on 29 October 2018 and were lodged with the Office of the Local Government on 31 October 2018.	


Action	Description	Comment	Status
L.04.05	Manage the delivery of monitored, transparent and accountable procurement services	The Business Partner Model was successfully implemented and this shows in the team result of achieving 100 per cent of tenders in quarter four within the 120 day target.	
L.04.06	Identify, eliminate and control hazards to create a safer workplace	53 hazards were reported across Council over the last 12 months. The Safety and Wellness team have been campaigning and educating staff through toolbox talks and the Work Health and Safety Committee about the need for workers to report incidents, including hazards over the last three years. This has resulted in year on year increases in hazard reporting across Council which equates to a 64 per cent increase in hazard reporting.	
L.04.07	Manage and report on workplace incidents	There were 14 Lost time injuries reported this financial year.	
L.04.08	Comply with the self-insurer licencing framework	There were 20 Inspections completed to date with the remainder to be completed in July 2019.	
L.04.09	Manage and deliver strategic initiatives	The Australian Local Government Women's Association Conference was held at Casula Powerhouse Arts Centre on 4-6 April 2019. The event was successful and well received. The review of Pathway is underway and consultation with business units continues to identify processes that need to be refined. Liverpool 2050 has been merged with the Local Strategic Planning Statements project with draft content in development.	
L.04.10	Manage Council's process mapping system	Council has conducted an internal communications campaign to raise the importance of process mapping and the usage of Nintex Promapp software (Quality Management System). This has been complemented by training and process workshops. An automated training program has been rolled out throughout the organisation. The Audit, Risk and Improvement Unit is monitoring the maturity of Council's processes and is striving for a continuous increase in the processes mapped and reviewed over the next reporting period.	
L.04.11	Utilise an effective resolutions model to promote a bullying- and harassment-free workplace	There has been a significant drop in the number of grievances lodged relating to behavioural issues. The 83 per cent participation rate in dignity and respect training is a seven per cent increase over the previous reporting quarter.	


Action	Description	Comment	Status
L.04.12	Manage fleet and outdoor machinery and equipment	The Depot Masterplan Stage One was completed and presented to Council in 2018 for endorsement.	
L.04.13	Engage employees through internal communication	Staff engagement with existing internal communication channels continues to grow steadily, helping to improve staff motivation, behaviours and productivity to deliver even greater outcomes for the community.	
L.04.14	Provide transparent, fair and impartial inquiries into and assessments of customer complaints	All complaints and recommendations were dealt with within required timeframes, as set out in the Internal Ombudsman Policy and the Code of Conduct Procedures and as required by the NSW Ombudsman for public interest disclosures.	
L.04.15	Coordinate code of conduct and privacy complaints and public interest disclosures	All Code of Conduct and privacy complaints and public interest disclosures have been dealt with and reported on in accordance with Council policies and legislative requirements.	
L.04.16	Develop, review and update asset management plans for Council's infrastructure and building assets	Council has started implementation of Strategic Maintenance Planning (SMP) for Council assets that will provide seamless maintenance planning and programming.	





LIVERPOOL CITY COUNCIL | **LIV THE GREAT SOUTH WEST**


For further information


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Attachment 1 –Capital Works and S.7.11 Contributions Plan History

	2008-09 Actual	2009-10 Actual	2010-11 Actual	2011-12 Actual	2012-13 Actual	2013-14 Actual	2014-15 Actual	2015-16 Actual	2016-17 Actual	2017-18 Actual	2018-19 Actual
Opening Balance	62,067,000	24,814,322	44,533,742	56,560,064	59,829,136	56,681,607	72,788,131	70,476,465	72,604,061	98,340,454	145,719,149
Receipts											
s7.11 Contribution	5,706,012	19,997,828	13,721,163	17,205,120	19,404,046	23,681,058	23,169,934	38,291,679	38,685,871	57,824,772	41,078,768
s7.11 Interests	3,701,534	1,891,524	3,152,650	3,662,637	2,982,009	2,723,390	3,042,032	2,548,390	2,689,234	3,606,467	4,166,477
s7.11 fair value gain/(loss)	(2,704,631)	2,070,858	187,368	(184,500)	(123,000)	81,000	51,400	(62,000)	93,400	(139,700)	0
Proceeds from disposal of s7.11 funded Property	0	2,314,903	0	176,444	0	81,144	1,114,500	1,427,281	0	0	0
Expenditure											
Capital funding	-43,715,818	-6,339,918	-4,639,300	-16,587,774	-24,337,039	-9,272,820	-28,403,968	-38,944,754	-14,435,992	-12,456,784	-30,564,767
Operating funding (Salaries, Valuation)	-239,775	-215,775	-245,559	-252,854	-273,544	-287,249	-285,562	-32,999	-96,120	-56,059	-51,464
Loan repayment for s7.11 borrowing	0	0	-150,000	-750,000	-800,000	-900,000	-1,000,000	-1,100,000	-1,200,000	-1,400,000	-1,500,000
Closing Balance	24,814,322	44,533,742	56,560,064	59,829,136	56,681,607	72,788,131	70,476,465	72,604,061	98,340,454	145,719,149	158,848,163
Total Capital Expenditure	70,785,984	33,866,507	55,700,634	59,131,319	51,137,832	47,612,964	108,238,373	198,017,064	116,932,930	94,253,428	137,277,632
Funding											
S7.11 Funding	43,715,818	6,339,918	4,639,300	16,587,774	24,337,039	9,272,820	28,403,968	38,944,754	14,435,992	12,456,784	30,564,767
Other Funding	27,070,166	27,526,589	51,061,334	42,543,545	26,800,793	38,340,144	79,834,404	159,072,309	102,496,938	81,796,643	106,712,865
Total Funding	70,785,984	33,866,507	55,700,634	59,131,319	51,137,832	47,612,964	108,238,373	198,017,064	116,932,930	94,253,428	137,277,632

Attachment 2 – 10 Year Capital Works and S.7.11 Contributions Plan Projections

	2019-20 Projection Year 1	2020-21 Projection Year 2	2021-22 Projection Year 3	2022-23 Projection Year 4	2023-24 Projection Year 5	2024-25 Projection Year 6	2025-26 Projection Year 7	2026-27 Projection Year 8	2027-28 Projection Year 9	2028-29 Projection Year 10
Opening Balance	158,848,163	182,506,086	199,084,247	195,933,483	187,559,614	184,926,829	185,882,829	183,452,749	177,956,468	166,952,824
Receipts										
s7.11 Contribution	64,711,075	62,518,683	62,588,517	52,563,408	47,142,449	51,200,371	48,614,250	44,975,986	40,089,566	38,134,998
s7.11 Interests	5,333,890	4,627,129	4,739,678	4,579,367	4,350,464	4,209,006	3,978,798	3,564,524	2,922,151	2,348,067
Proceeds from disposal of s7.11 funded Property	5,110,901	0	0	0	0	0	0	0	0	0
Expenditure										
Capital funding	-49,559,551	-50,220,503	-70,122,803	-65,151,249	-53,750,829	-54,068,789	-54,630,200	-53,635,340	-53,605,200	-51,605,200
Operating funding (Salaries, Valuation)	-338,392	-347,148	-356,156	-365,395	-374,869	-384,588	-392,928	-401,451	-410,161	-419,063
Closing Balance	182,506,086	199,084,247	195,933,483	187,559,614	184,926,829	185,882,829	183,452,749	177,956,468	166,952,824	155,411,626
Total Capital Expenditure	156,287,859	222,253,090	206,168,202	159,984,201	130,863,813	121,246,589	122,054,800	116,465,940	117,257,301	114,750,301
Funding										
S7.11 Funding	49,559,551	50,220,503	70,122,803	65,151,249	53,750,829	54,068,789	54,630,200	53,635,340	53,605,200	51,605,200
Other Funding	106,728,308	172,032,587	136,045,399	94,832,952	77,112,984	67,177,800	67,424,600	62,830,600	63,652,101	63,145,101
Total Funding	156,287,859	222,253,090	206,168,202	159,984,201	130,863,813	121,246,589	122,054,800	116,465,940	117,257,301	114,750,301



3 October 2018

Mr Christopher White
Director City Corporate
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Dear Mr White

Internal loans – Developer contributions
Our ref: CYD/LIV003-00085

1. I refer to our various discussions.
2. I have looked at the following documents:
 - Department of Planning and Environment Developer Contributions Practice Notes (**Practice Notes**);
 - Local Government Code of Accounting Practice and Financial Reporting (**Accounting Code**);
 - relevant provisions of the Local Government Act, Environmental Planning and Assessment Act and Interpretation Act;
 - relevant provisions of Local Government (General) Regulation 2005 and Environmental Planning and Assessment Regulation;
 - relevant case law.
3. The EPA Act no longer states that section 7.11 and section 7.12 contributions are to be held "on Trust".
4. Nevertheless the Court of Appeal made it clear, in its decision in 2005 in *Frevcourt Pty Ltd v Wingecarribee Shire Council* [2005] NSW CA 107, that contributions must be **held and applied** (my emphasis) by the Council for a public purpose as required by the statute.
5. So there is a reasonably good argument that if the Council makes internal loans for works and services not provided for in the Contributions Plan, then it is not holding and applying the funds as required by statute.
6. Nevertheless I concede that there are arguments that it would not be unlawful for Council to make internal loans as currently under consideration. The argument would come from an interpretation of relevant provisions of the LG Act and the Interpretation Act.
7. Although the LG Act provides that a Council is a body politic, a Council would also, in my opinion, be regarded as a statutory corporation. Section 50 of the Interpretation Act relevantly provides as follows:

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"50(1) A statutory corporation:

...

- (d) may, for the purpose of enabling it to exercise its functions, purchase, exchange, take on lease, hold, dispose of or otherwise deal with property, and
- (e) may do and suffer all other things that bodies corporate may, by law, do and suffer and that are necessary for, or incidental to, the exercise of its functions."

8. Sub-sections 21, 22, 23 and 24 of the LG Act provide as follows:

- "21. A council has the functions conferred or imposed on it by or under this Act.
- 22. A council has the functions conferred or imposed on it by or under any other Act or law.
- 23. A council may do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions.
- 24. A council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law."

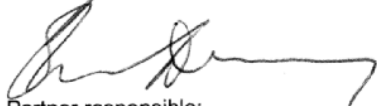
- 9. So there may be an argument that a temporary internal loan, if clearly documented, may not result in a breach of Council's obligations to hold and apply the relevant developer contributions funds. However that could only be if, for example, the Council conceded in writing that it had an obligation (and the ability) to repay the contribution funds, or to top up any shortfall, from Council's general fund as and when the developer contributions funds may be needed to be spent as required by, and in accordance with, the Contributions Plan.
- 10. On balance, I prefer the interpretation that the Council cannot apply the surplus funds as contemplated. The Accounting Code provides at page A-84 that, in the Council's annual report, developer contributions must be identified as "restricted receivables". As required on page A-45 of that Code, Council must provide details of "grants and contributions recognised in the current period that have not been spent". That interpretation, in my opinion, is supported by a number of the July 2005 Practice Notes including, "Principles underlying development contributions", "Financial management of development contributions" and "Accountability and reporting".
- 11. It is always open to the Council to amend its Contributions Plan to identify new or additional works and services. Because in many cases Council is subject to a \$20,000 or \$30,000 cap, the Council may not be able to collect sufficient developer contributions for all the identified works and services. But if the relevant works and services are identified in the Contributions Plan, the Council is clearly entitled to pool funds to provide for such works and services even though developer contributions have not been collected to pay for those works or services.
- 12. I am not aware of any case where the Land and Environment Court or the Court of Appeal has ordered unspent developer contributions to be repaid to the person who paid them in the first place. It seems to me that the legislation needs to be amended to allow unspent developer contributions to be applied towards badly needed public amenities and services. It has been the case for many years now that the State Government has pushed down onto Local Government more and more responsibility for providing public amenities, works and services that were formerly provided by the State Government, but has not provided, or allow Councils to raise, adequate funds for those purposes.

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Sparke Helmore Lawyers

13. The cap on developer contributions was imposed with the stated aim of reducing the cost of land and housing. I am not aware of a single instance of any land or dwelling being offered for sale at a reduced price because of the cap on developer contributions.

Yours sincerely



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19 February 2019

The Chief Executive Officer
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By email: WhiteC@liverpool.nsw.gov.au
cc: KnightM@liverpool.nsw.gov.au

Dear Madam

Pooling of and internal borrowings from developer contributions funds

Our ref: CYD/LIV003-00085

1. I apologise for the delay in providing this advice but I have for a considerable period of time been debating with myself, as it were, on my answers to the Council's questions about its powers to "borrow" monies from developer contributions to fund public amenities and public services not authorised by a Contributions Plan.
2. For convenience I will refer to the contributions imposed and collected under section 7.11 or 7.12 of the Environmental Planning and Assessment Act (**Act**) and under the predecessor section 94 and section 94A of the Act as "Developer Contributions".

Pooling

3. As I previously advised the issue of pooling of funds is much more straight forward, but nevertheless I conclude that Council may need to revise some of its contributions plans if those plans do not specifically authorise the pooling of funds.
4. Section 7.3(1) and (2) of the Act provide as follows:
 - "(1) A consent authority or planning authority is to hold any monetary contribution or levy that is paid under this Division (other than Subdivision 4) in accordance with the conditions of a development consent or with a planning agreement for the purpose for which the payment was required, and apply the money towards that purpose within a reasonable time.
 - (2) However, money paid under this Division (other than Subdivision 4) for different purposes in accordance with the conditions of development consents may be pooled and applied progressively for those purposes, subject to the requirements of any relevant contributions plan or ministerial direction under this Division (other than Subdivision 4)."
5. Clause 27 of the Environmental Planning and Assessment Regulation (**Regulation**) prescribes the particulars that a contributions plan must contain. Clause 27(3) provides as follows:
 - "(3) A contributions plan must not contain a provision that authorises monetary section 7.11 contributions or section 7.12 levies paid for different purposes to be pooled and applied progressively for those purposes unless the council is satisfied that the pooling and progressive application of the money paid will not unreasonably prejudice the carrying into effect, within a reasonable time, of the purposes for which the money was originally paid."

A handwritten signature in blue ink, appearing to be 'CS'.

Sydney

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6. You will see that section 7.3(2) of the Act authorises pooling "subject to the **requirements** of any relevant contributions plan or ministerial direction ...". It does not say that Developer Contributions may only be pooled "if authorised by any contributions plan".
7. Nevertheless clause 27(1) mandates what a contributions plan must contain. That includes:
 - "(i) If the plan authorises monetary section 7.11 contributions or section 7.12 levies paid for different purposes to be pooled and applied progressively for those purposes, the priorities for the expenditure of the contributions or levies, particularised by reference to the works schedule."
8. I have looked at several of the Council's Contributions Plans. The 2009 Contributions Plan does not appear to authorise pooling. That is to be contrasted with Liverpool Contributions Plan 2014 – Austral and Leppington North Districts which clearly, in clause 2.13, authorises the pooling of funds and identifies priorities for the expenditure of pooled Developer Contributions.
9. Contributions Plan 2018 "Established Areas" at page 13, in clause 3.10 under the heading "Administration of Contributions Plans" provides as follows:

"The funds collected under this plan may be pooled for projects and applied progressively for those purposes, the priorities of which will be determined by various Council Strategies for the purposes and by the timing and scale of development in the Established Areas."
10. To avoid any dispute with developers or other disgruntled persons, on balance my advice is that all of Council's Contributions Plans should be amended to authorise pooling and to establish priorities for the expenditure of Developer Contributions, if they do not presently do so, as required by clause 27(1) of the Regulation.
11. If Council seeks to pool Developer Contributions collected under those Contribution Plans which do not allow pooling there is some risk that a developer or other dissatisfied person might seek to challenge Council's decision.
12. Whether in such a case Council's actions might be set aside will depend upon whether compliance with clause 27 was required to establish the validity of Council's actions in pooling the relevant funds. That is, if there was not compliance with clause 27, was it a purpose of the legislation that an act done in breach thereof was invalid? I have struggled with this issue for a long time and concede that informed minds might differ.
13. I accept that Division 1C of the Regulation clearly seeks to control the preparation and content of Contributions Plans. However section 7.20 must also be relevant. It provides as follows:

"7.20 Contributions plans – judicial notice, validity etc (cf previous s 94EC)

 - (1) Judicial notice is to be taken of a contributions plan and of the date on which the plan came into effect.
 - (2) It is to be presumed, in the absence of evidence to the contrary, that all conditions and preliminary steps precedent to the making of a contributions plan have been complied with and performed.
 - (3) The validity of any procedure required to be followed in making or approving a contributions plan is not to be questioned in any legal proceedings except those commenced in the Court by any person within 3 months after the date on which the plan came into effect.
 - (4) The amendment or repeal, whether in whole or in part, of a contributions plan does not affect the previous operation of the plan or anything duly done under the plan."

CS

14. Section 7.20(3) is what is known as a "privative clause", the purpose of which is to limit the opportunities for persons to challenge, in this case, contributions plans, unless relevant proceedings are brought within three months after the date on which the Contributions Plan came into effect. However the Courts have consistently held that a privative clause such as section 7.20(3) will not prevent a challenge to the validity of a plan, or an action of a Council made under a plan, which was made without jurisdiction.
15. As such it is possible that a disgruntled objector, developer or other dissatisfied person might argue that Council has no jurisdiction to pool funds where that is not authorised by a Contributions Plan; and that section 7.20 does not prevent a challenge to the Council's lack of jurisdiction. Clearly not every Contributions Plan will be a model of perfection and one can only speculate how such a challenge might be determined in the Land and Environment Court. However one can avoid the risk by amending those Contributions Plans that do not specifically authorise pooling and establish the priorities for the expenditure of contributions or levies, as required by clause 27(1)(i) of the Regulation.

Internal Borrowings

16. This is clearly a complex issue.
17. My earlier conclusion (see my letter of 3 October 2018) was that, on balance, this was not a course of action open to the Council.
18. However, subject to the comments I will make about the Kaldas report, I now believe that there is a reasonable argument that in some circumstances, internal borrowing from Developer Contributions held but unable to be spent within the short term by the Council, is lawful.
19. Council operates in circumstances where:
 - there is a significant cost shifting from State to Local Government;
 - the Ministerial Cap has imposed severe constraints on the ability of Councils to collect adequate developer contributions particularly in new release areas;
 - the sale or transfer of public housing from NSW Land and Housing Corporation to community housing providers has seen a torrent of applications from those community housing providers for rate exemptions; and
 - significant parts of the Local Government Area – for example Western Sydney Airport are or will be exempt from rating.
20. As a result Council's budget is under significant pressure.
21. The Act and Regulations, in those provisions dealing with Developer Contributions, do not specifically allow Councils to undertake internal borrowings as proposed. The decision of the Court of Appeal in *Frevcourt v Wingecarribee Shire Council* (2005) 139 LGERA 140, makes it clear that Council holds Developer Contributions for the purpose for which they were collected, even if the Act no longer states that those monies are held "on Trust".
22. A series of Practice Notes (particularly those issued in July 2005) contain a number of directions to Councils for the collection, holding and expenditure of Developer Contributions.
23. The Minister has extensive powers under section 9.1 to issue directions to Councils. For example, the Minister has issued a direction under the former section 94E (now section 7.17) capping the quantum of Developer Contributions to \$20,000 (or \$30,000 in some new release areas).

24. Under clause 26 of the Regulation, a contributions plan must be prepared having regard to any relevant Practice Notes adopted for the time being by the Secretary of the Department. A number of the Practice Notes address pooling but not internal loans or borrowings of the type being considered by Council.
25. Clause 27 identifies the particulars that a contributions plan must contain including, as required by clause 27(1)(i) referred to above in paragraph 7, concerning pooling.
26. The July 2005 Practice Note entitled "Principles underlying development contributions" identifies: "pooling" of funds – refer clause 27(1)(h) of the *EP&A Regulation* which allows borrowing between section accounts".
27. The July 2005 Practice Note entitled "Financial management of development contributions" states (at page 4):

"Pooling of funds is a new provision which allows a Council to "borrow" between S94 accounts to provide sufficient funds to build facilities. This allows greater flexibility in the way facilities can be provided.

Clause 27(3) of the *EP&A Regulation* allows a council (or councils in the case of a joint plan) to pool funds only if the council is satisfied that the pooling and progressive application of the funds will not unreasonable delay the implementation of the works program."
28. The July 2005 Practice Note entitled "Accountability and reporting" contains detailed provisions on record keeping including the requirement for details of receipts and expenditure.
29. The decision of the Court of Appeal in *Frevcourt* (see above at paragraph 21) makes it clear that contributions paid under the former section 94 must be held and applied by the Council for a public purpose as required by the Act. That public purpose must be for the provision of public amenities and public services within the area for which Developer Contributions were collected as authorised by a contributions plan.
30. The Council must maintain records in such a way that it can identify the monies standing to the credit of any contributions plan or the components thereof – for example, monies collected and available for works authorised by a contributions plan such as roads, drainage, open space and so on.
31. Developer Contributions are not required to be held in a separate bank account but Council must have adequate accounting records to identify monies standing to the credit of any contributions plans, or the components thereof.
32. What the Council wants to do is not just "borrow" contributions by pooling (which is clearly permitted if the contributions plan allows it); but also to "borrow" unspent contributions to pay for public amenities and public services that are not in the contributions plan or, for example, not authorised to be included in a contributions plan. Examples would include some library facilities and community services facilities.

Council's power to invest – section 625

33. In my October 2018 letter, I identified arguments in favour of and against the Council's power to borrow from Developer Contributions funds. On balance, at the time, I concluded that the better argument was that the Council could not undertake internal borrowings as proposed.
34. I am no longer convinced that that conclusion was correct. There is, in my opinion, a good basis to argue that the thesis put forward in paragraphs 6 to 9 of that letter (that the proposed internal borrowing may be lawful) was correct. This is particularly so where the internal loans are effected through an investment strategy as explored in paragraphs 36 to 44 below.

CA

Sparke Helmore Lawyers

35. If Council does undertake any such internal borrowings there must a mechanism in place to ensure that the monies "borrowed" could be repaid by Council on demand or within a relatively short period of time, and returned to the fund to be expended for the purpose for which they were collected.
36. In my opinion a mechanism is available to the Council for the proposed internal borrowings, under section 625 of the Act.
37. As you know sub-sections (1) and (2) of section 625 provides as follows:
 - "(1) A council may invest money that is not, for the time being, required by the council for any other purpose.
 - (2) Money can be invested only in a form of investment notified by order of the Minister published in the Gazette."
38. You have explained to me that the collection of Developer Contributions, particularly for new release areas, can occur over several years. If the monies are left in the fund for those several years, they are likely to earn interest but at a low rate.
39. The latest Investment Order under section 625 of the Act permits a council to invest in: "any debentures or securities issued by a council (within the meaning of the Local Government Act 1993 (NSW))" – see Folio 13140 of Government Gazette No. 160, 24 December 2008. That Investment Order in effect adopts that of 31 July 2008 with some minor changes not relevant to your Council. A copy of the 31 July 2008 Investment Order is **enclosed**.
40. Whilst monies are in a fund awaiting expenditure, and invested in an interest bearing bank account, they are likely to attract investment, at present, in the region of 1.2% or thereabouts per annum.
41. If the Council were to borrow monies to provide public amenities and public services for which all the required Developer Contributions have not yet been collected, then Council is likely to be required to pay interest at a rate (depending upon from whom the monies are borrowed) between 3.7% and 5%.
42. You are considering an arrangement whereby, if Council borrows monies from the Developer Contributions fund, it would pay the fund interest at the rate of (approximately) 2.5%. Clearly that provides a benefit to Council and the community.
43. In my opinion a Council can invest the monies held in a Developer Contributions fund, but not required for the time being by the Council, in a security issued by the Council. That investment would be authorised by section 625. Clearly the security would need to be in such a form to allow payment of the monies back to the fund when required or, for example, if ordered by the Minister either on demand or within a short period of time, such as within 28 days.
44. I have not given any thought as to the form of any such security but understand from discussions with Mr White that the Council is in a position to prepare the necessary security documentation. If you require any assistance from our Banking and Finance lawyers, please let us know.
45. There has, however, been a significant development since my letter of October 2018.

The Kaldas Report

46. In the second half of 2018, Mr Nick Kaldas, former Deputy Commissioner of Police, undertook an investigation leading to the production by him, in December 2018, of a report entitled "Review of governance in the NSW Planning System".

CS

47. In his report Mr Kaldas made 19 recommendations and I have been told by a senior officer of the Department of Planning and Environment that the Government has accepted and agreed to implement those recommendations. Recommendation 10 is as follows:
- "That the Department of Planning and Environment consider undertaking an audit of all infrastructure contributions and spending of same in NSW to enable evidence-based decision-making on the collection and monitoring of those contributions."
48. Mr Kaldas also urged the Government to consider adopting guidelines similar to the October 2016 (Victorian) Infrastructure Contributions Plan Guidelines.
49. In paragraph 6 on page 42 of his report, Mr Kaldas said (so far as is relevant) as follows:
- "I am of the view that it would be a valuable exercise for the Department to consider a complete and thorough analysis of all infrastructure contributions in NSW. I am of the view that centralised gathering of contribution data and analysis of the spending of those funds is the first step towards a better-informed decision-making process on this issue generally. As stated previously, a holistic approach should be considered but needs to be definitively informed of the status quo. I have therefore recommended the Department look at undertaking an audit and centrally gather data to enable a complete evidence-based analysis of infrastructure contributions throughout NSW. I am aware that this a large piece of work that may take some time "
50. I have looked at the Victorian Guidelines and **enclose** a copy of Part 2, Accountability and Reporting. You will see that those Guidelines provide, among other things, that:
- "To ensure the ICP system is accountable and transparent:
- an infrastructure levy may only be imposed through an ICP that forms part of the planning scheme. This ensures that the process for approving the plan (and any subsequent amendments to it) is open, transparent and provides for community involvement where necessary
 - collecting agencies may only use levy funds for the purposes set out in the approved ICP
 - collecting agencies must maintain proper accounts of all infrastructure levies paid
 - collecting agencies must refund unspent levies or seek ministerial approval to use them for another purpose
 - all collecting and development agencies must report annually to the Minister on the collection and use of infrastructure levy funds and any WIK received
 - councils must report on the collection and use of levies in their annual reports."
51. I have a real concern that if the Victorian Guidelines are accepted, as recommended by Mr Kaldas, the internal borrowing of developer contributions may not be allowed or may become more difficult.

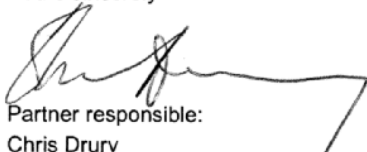


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Office of Local Government

52. As requested I discussed the issue of internal borrowing of Developer Contributions with Mr Grant Gleeson, Senior Lawyer of the Office of Local Government. Although interested, and alert to the financial pressures faced by Councils, Mr Gleeson was not prepared to offer any comment or advice or assistance. Rather, he simply asked to be kept in the loop as to what Council might be doing.

Yours sincerely



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LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER

(Relating to investments by councils)

I, the Hon. Paul Lynch MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act, 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) mortgage of land in any State or Territory of the Commonwealth (restricted to first mortgages over land with a Loan to Value ratio of no greater than 60%);
- (d) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (e) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (f) a deposit with the Local Government Financial Services Pty Ltd
- (g) a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Order dated 15 July 2005, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Dated this 31st day of July

2008


Hon PAUL LYNCH MP
Minister for Local Government

2 Accountability and reporting

2.1 Accounting by collecting and development agencies

Accountability is essential to the operation of the ICP system and maintaining public confidence in the wider planning system. Accountability means that decision making is open and transparent, funds collected through an ICP are spent on the infrastructure for which they were levied, and the use of levies is regularly reported and independently monitored and reviewed.

To ensure the ICP system is accountable and transparent:

- an infrastructure levy may only be imposed through an ICP that forms part of the planning scheme. This ensures that the process for approving the plan (and any subsequent amendments to it) is open, transparent and provides for community involvement where necessary
- collecting agencies may only use levy funds for the purposes set out in the approved ICP
- collecting agencies must maintain proper accounts of all infrastructure levies paid
- collecting agencies must refund unspent levies or seek ministerial approval to use them for another purpose
- all collecting and development agencies must report annually to the Minister on the collection and use of infrastructure levy funds and any WIK received
- councils must report on the collection and use of levies in their annual reports.

2.2 Reporting by collecting and development agencies

Regular reporting by collecting and development agencies is important for tracking the collection and expenditure of levies and the delivery of infrastructure projects.

Under section 46GM of the Act, collecting and development agencies must report to the Minister on:

- the levy amounts collected by the collecting agency
- any land, works, services or facilities (WIK) accepted by the collecting agency
- any infrastructure delivered by the development agency from the levies collected
- the use made of any WIK.

Similar reporting requirements apply to DCPs under section 46QD of the Act.

To enable the Minister to monitor the overall performance of the ICP system and make meaningful comparisons of the use of levy funds, collecting and development agencies must prepare their report in accordance with the Ministerial Reporting Requirements for Infrastructure Contributions Plans ('Ministerial Reporting Requirement'). This document requires a report to be:

- prepared each financial year
- given to the Minister within three months after the end of the financial year reported on
- prepared and presented in accordance with the standard templates provided in the document.

Where a council is the collecting or development agency, the report must also be included in the report of operations contained in the council's annual report prepared under the *Local Government Act 1989*.

Department of Environment, Land, Water and Planning

2.3 Reporting by the Minister

Under section 46GN of the Act, the Minister must report annually to the Parliament on the following matters:

- the total infrastructure levies paid to each collecting agency;
- the total infrastructure levies paid into and out of the Consolidated Fund; and
- the total amount of infrastructure levies paid.

2.4 Financial responsibilities under an ICP

The responsibilities of councils in administering an ICP are set out in section 46GI of the Act. A council must:

- keep proper accounts of any amount of infrastructure levy paid to it as a collecting agency or development agency in accordance with the *Local Government Act 1989*;
- forward any part of the infrastructure levy that it is paid as a collecting agency to the relevant development agency (if the council is not the development agency);
- ensure that any funds that it receives as a development agency are only applied –
 - for a purpose relating to the provision of works, services, facilities or plan preparation costs in respect of which the levy was imposed; and
 - in accordance with the approved ICP; and
- refund any amount of infrastructure levy paid to it as development agency in respect of development if the council is satisfied that the development will not proceed.

Similar responsibilities apply to other collecting and development agencies under sections 46GJ and 46GK of the Act.

2.5 Financial management of ICPs by councils

Once an ICP is approved, the collecting agency is responsible for the financial management of the plan and development agencies are bound to deliver the infrastructure set out in the plan.

Given that councils are normally both the collecting and development agency under an ICP, it is critical that they have systems and procedures in place to effectively manage infrastructure contributions and regularly monitor infrastructure delivery. Councils need to be able to systematically identify and manage all risks associated with infrastructure levies so they can respond to issues as they arise and minimise delays to infrastructure provision.

Councils should have regard to the following matters in setting up their systems for collecting and administering infrastructure levies.

Collaborative approach

The effective management of an ICP requires a multi-disciplinary approach that involves all relevant departments within the council. Departments that should typically be involved are:

- planning – preparing, implementing and reviewing ICPs, negotiating WIK, facilitating development, providing advice on section 173 agreements and issuing planning permits
- engineering, social and recreation – preparing and implementing ICPs and negotiating WIK
- finance, administrative and corporate services – managing the collection of levies, establishing the financial accounting, quality assurance and legal processes for ICPs, and integrating ICP projects with the council's capital works program
- senior management team – signing off on the preparation and approval of ICPs, approving WIK and section 173 agreements, overseeing the collection of levies and delivery of infrastructure.

Department of Environment, Land, Water and Planning

Procedures and governance

Internal procedures and governance arrangements for ICPs should be designed to ensure that all contributions owed have been received and are used effectively. Procedures should also be subject to quality assurance and regular scrutiny by internal audit. To optimise the administration of ICPs, councils should consider:

- creating a database able to track and report on each ICP, the contributions collected, WIK, timing of delivery of projects, and to forecast expenditure and income
- assigning clear management responsibilities for the coordination and oversight of ICPs
- creating standard internal policies and procedures for applying an ICP, negotiating WIK, and reporting on ICPs in the council's annual budget and capital works program
- preparing regular financial reports to senior management and councillors that accurately reconcile levies collected and expended, including the delivery of infrastructure against that planned.

Risk management

Councils need to understand the financial risks inherent in the ICP system and seek to minimise those risks.

Timing and cash flow management

Given the quantum of revenue collected via infrastructure levies and the usual lifetime of an ICP, it is important that councils manage their cash flow so that infrastructure projects can be delivered in an efficient and timely manner.

Pooling of funds and borrowing

The ICP system allows for the pooling of funds within an ICP account to provide sufficient funds to build facilities.

Interest

The council must establish a separate interest bearing account for each ICP. All interest earned is to be spent on delivering the infrastructure projects identified in the ICP.

Joint ICP plan funds

Where an ICP crosses municipal boundaries and involves one or more collecting agencies, the collection and expenditure of the infrastructure levies must be agreed between the councils from the outset and included in the ICP.



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The Chief Executive Officer
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24 July 2019

Our ref SXG 192545

Private and Confidential

Attention: Alvin Morales

Email: MoralesA@liverpool.nsw.gov.au

Dear Alvin,

Advice on internal borrowing and investment of developer contributions and levies

This document is confidential and prepared by Bartier Perry for the purpose of providing legal advice to Liverpool City Council. Liverpool City Council is entitled to claim legal professional privilege against disclosure of the contents of this document. That privilege may be lost if the contents of this document are disclosed to a person other than a member or employee of Liverpool City Council.

We refer to your instructing emails of 13 June 2019 and 15 July 2019.

Council has requested we undertake a peer review of legal advice it has received from Sparke Helmore Lawyers (SHL) in relation to the lawfulness of Council investing developer contributions and levies (collectively referred to herein as **Developer Contributions**) in the period that they are not required for the purpose for which they were collected.

1. EXECUTIVE SUMMARY

- 1.1 It is our opinion that there is no legal impediment to Council undertaking such investments.
- 1.2 However, any amounts earned from the investment of Developer Contributions will form part of those Developer Contributions and may only be applied towards the purpose for which the Developer Contributions were collected.
- 1.3 We say this for the reasons set out in the following advice.

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Advice on internal borrowing and investment of developer contributions and levies

2. BACKGROUND

- 2.1 On 3 October 2018, Council received advice from SHL on its ability to make internal loans of as yet unused Developer Contributions for other means (**October SHL Advice**).
- 2.2 The October SHL Advice concluded that, while there were arguments in the alternative, the preferred opinion of SHL was that it would be unlawful for Council to make such an internal loan of unused Development Contributions and apply the funds to purposes for which it was not collected.
- 2.3 On 19 February 2019, Council received further advice from SHL on the ability to pool Developer Contributions and to internally borrow and invest as yet unused Development Contributions (**February SHL Advice**).
- 2.4 The February SHL Advice concludes that:
 - a) Pooling of Developer Contributions is possible but that developer contributions plans should be amended to make provision for such;
 - b) Internally borrowing Developer Contributions is lawful; and
 - c) Council can invest monies held in a Developer Contributions fund, but not required for the time being, in a security issued by Council.
- 2.5 Our instructions are specifically limited to a peer review to the advice of SHL on the investment of Developer Contributions.
- 2.6 We generally agree with the conclusions of the February SHL Advice on this point but for different reasons. We also wish to raise some practical issues that Council should consider before proceedings with any such investments.

3. PEER REVIEW

Council Investments Generally

- 3.1 The *Local Government Act 1993* (**LG Act**) gives councils a general authority to invest monies it receives.
- 3.2 Section 409(1) of the LG Act provides that all money received by a council is to be held in the council's consolidated fund unless required to be held in the council's trust fund.
- 3.3 Section 409(2) of the LG Act provides that money held in a council's consolidated fund may be applied towards any purpose allowed by this or any other Act.
- 3.4 This general authority to apply funds held in the consolidated fund is qualified by section 409(3) of the LG Act which provides, amongst others, that money received for a specific purpose under the LG Act or another Act may only be used only for that purpose (section 409(3)(b) LG Act).

Advice on internal borrowing and investment of developer contributions and levies

- 3.5 It is our opinion that Developer Contributions fall within the scope of section 409(3)(b) of the LG Act as they are monies received for a specific purpose under the *Environmental Planning and Assessment Act 1979 (EPA Act)*.
- 3.6 In this regard, section 409(4) of the LG Act provides that (our emphasis) such monies:
- Pending its expenditure for the purpose for which it is held ... may not be held otherwise than in an account with a bank, building society or credit union or in an investment in which such money is, by or under this or any other Act, authorised to be invested.*
- 3.7 Further, section 625(1) of the LG Act states:
- A council may invest money that is not, for the time being, required by the council for any other purpose.*
- 3.8 Section 625(2) of the LG Act provides that money may only be invested in a form of investment notified by order of the Minister published in the Gazette.
- 3.9 The above provisions provide a legal mechanism for the investment of monies by councils and that this could extend to Developer Contributions, subject to consideration of the EPA Act (below).
- 3.10 At paragraphs [36] to [39], the February SHL Advice refers to investment orders of the Minister and we are instructed that Council is satisfied that the types of investments open to it are understood.

Investing Developer Contributions

- 3.11 Developer Contributions are administered under Division 7.1 of Part 7 of the EPA Act.
- 3.12 There is no provision under Division 7.1, or the EPA Act in general, which expressly provides that a council may invest Developer Contributions during the time while they are not required to be applied towards the purpose for which they were required.
- 3.13 Section 7.3(1) of the EPA Act states (our emphasis):
- A consent authority or planning authority is to **hold** any monetary contribution or levy that is paid under this Division (other than Subdivision 4) in accordance with the conditions of a development consent or with a planning agreement **for the purpose for which the payment was required**, and **apply the money towards that purpose** within a reasonable time.*
- 3.14 It is clear from the above section, and the decision of the NSW Court of Appeal in *Frevcourt Pty Ltd and Anor v Wingecarribee Shire Council* [2005] NSWCA 107, that councils are to hold Developer Contributions for the purpose for which they were collected (if not "in trust" as a result of legislative changes considered below).
- 3.15 It is this obligation which appears to have led to the conclusions of the October SHL Advice that the internal loan of unused Developer Contributions for purposes other than for which they were collected is unlawful.

Advice on internal borrowing and investment of developer contributions and levies

- 3.16 This obligation is not clearly overcome by SHL, despite the change of position on internal loans and investments, in the February SHL Advice.
- 3.17 References in the legislative regime to such investments, not been contemplated by either the October SHL Advice nor the February SHL Advice, support our conclusion that such investments (in certain circumstances) are lawful.
- 3.18 Section 7.3 of the EPA Act must be read in its entirety in relation to how councils can manage Developer Contributions. While subsections (2) and (3) are not relevant to the specific question being considered, referring as they do to pooling of Developer Contributions and the dedication of land respectively, subsection (4) states (our emphasis):
- A reference in this section to a monetary contribution or levy includes a reference to **any additional amount earned from its investment**.*
- 3.19 In addition, clause 35(1) of the *Environmental Planning and Assessment Regulation 2000 (2000 Regulation)* states, in relation to the responsibilities of councils to account for Developer Contributions (our emphasis):
- A council must maintain accounting records that allow monetary section 7.11 contributions, section 7.12 levies, **and any amounts earned from their investment**, to be distinguished from all other money held by the council.*
- 3.20 In our opinion, references to amounts earned from the investment of Developer Contributions in both the EPA Act and 2000 Regulation clearly indicate that the investment of Developer Contributions is sanctioned by Parliament.
- 3.21 This is premised on:
- a) Any such investments not being inconsistent with the ultimate purpose, and/or obstructing the application, of the Developer Contributions pursuant to section 7.3(1) of the EPA Act, being that such investments must not hinder a council's ability to apply the Developer Contributions towards the public amenities and/or services for which they were required, in a reasonable time; and
 - b) Any interest earned on the investment of Developer Contributions form part of those Developer Contributions and must ultimately be applied for the purpose for which the Developer Contributions were required (rather than being general money held by the council and applied for any/other purposes).
- 3.22 Reference to any additional amounts earned from the investment of Developer Contributions was inserted into the EPA Act as part of the *Environmental Planning and Assessment (Contributions Plans) Amendment 1991 (Amendment)*.
- 3.23 The Amendment made the following changes, in relation to how Developer Contributions are held by councils, to the then section 94(3) of the Act:
- a) Deleted the words "*in trust*"; and
 - b) Added "*(and any additional amount earned from its investment)*".

Advice on internal borrowing and investment of developer contributions and levies

- 3.24 At the same time, the *Environmental Planning and Assessment Regulation 1980 (1980 Regulation)* was amended by the *Environmental Planning and Assessment Act 1979 – Regulation (Relating to the making, amendment and repeal of contributions plans and related matters)* which commenced on 28 February 1992 (**Amended Regulation**) and served to include a new Part 4A on Contributions Plans.
- 3.25 Clause 41L(1) of the Amended Regulation stated (our emphasis):
- A council that receives monetary contributions under section 94 (1) or (2A) of the Act in relation to a particular contributions plan must maintain accounting records that allow those contributions **(together with any additional amounts earned from their investment)** to be distinguished from all other money held by the council.*
- 3.26 The amendments to the EPA Act and 1980 Regulation were generally aimed at improving the administration and accounting practices of councils so that Developer Contributions were required, held and applied in a consistent and transparent manner.
- 3.27 Relevantly, the Minister introducing the Amendment stating in the second reading speech:
- Most importantly, the bill requires that any interest earned from the investment of any monetary contribution levied under s94, be held by the consent authority and applied for the purpose for which it was levied within a reasonable time.*
- 3.28 The above statement appears to acknowledge the practice of investing Developer Contributions and, rather than prohibiting it, requires regulation of how interest earned on such investments is applied by limiting it to the purpose for which the Developer Contributions were originally required.
- 3.29 The inclusion of these terms in both the EPA Act and the 1980 Regulation ensures that interest earned from investments is appropriately applied.
- 3.30 As outlined at [2.15] and [2.16] above, these references to amounts earned from the investment of Developer Contributions remain in the EPA Act (section 7.3(4)) and in the 2000 Regulation (clause 35(1)).
- 3.31 For these reasons, there is no legal impediment to Council investing Developer Contributions, provided it does not contravene section 7.3(1) of the EPA Act. Therefore:
- a) There must be a mechanism in place to ensure that Developer Contributions invested can be returned, when required, so that they may be applied in accordance with the purpose for which they were collected; and
 - b) Council must apply any interest earned from the investment of Developer Contributions towards the purpose for which the Developer Contributions were collected.
- 3.32 It would be prudent of Council to provide some security over the funds being invested so that funds invested and the interest earned are returned so that they can be applied to the purpose for which they were collected.

Advice on internal borrowing and investment of developer contributions and levies

- 3.33 We are instructed that Council understands its accounting obligations and does not require our advice on how it would carry out such investments.

4 OTHER CONSIDERATIONS

Probity and Public Perception

- 4.1 While there may be no lawful impediment to the investment of Developer Contributions, there are probity considerations for Council to make prior to embarking on an investment initiative.
- 4.2 It is reasonable to assume that a proper understanding of the circumstances and such an investment initiative would generally be recognised as being in the public interest.
- 4.3 For example, the application of interest earned on invested Developer Contributions towards improving standards of public amenities and services, or to cover potential increases in the need for or construction costs of public amenities and services would generally be viewed positively.
- 4.4 However, it is equally plausible that a lack of understanding of the circumstances could cause controversy for Council and draw criticisms for it profiting from funds collected for public amenities and services. This could particularly be the case where a community group or developer claims a lack of suitable public amenities or services to serve their interests.
- 4.5 An effective way to avoid such claims would be to thoroughly account for all funds invested, and all interest earned, with safeguards and securities documented to ensure the return of invested Developer Contributions and any interest as and when they become required to carry out the public purpose for which they were collected.
- 4.6 We also recommend Council considers amending its developer contribution plans to clearly outline the strict and limited circumstances where such investments maybe undertaken, how they will be accounted for and what the investment means in term of a works plan, for the public amenities and services they were to be applied towards.
- 4.7 The public notification process associated with the making of amended developer contribution plans would provide an opportunity for public concerns and misunderstandings of investment initiative to be raised and addressed in a transparent manner.

Kaldas Report

- 4.8 The February SHL Advice raises concerns that if the recommendations of the Kaldas Report on Developer Contributions are implemented, in particular adoption of guidelines similar to those for Developer Contributions in Victoria, this could result in internal borrowing and investments not being permitted or becoming more difficult.
- 4.9 Thorough analyses of the Kaldas Report and Victorian Developer Contributions guidelines are beyond the scope of our instructions.
- 4.10 The Kaldas Report calls for an audit and greater scrutiny of the current regime for the collection and application of Developer Contributions to ensure consistency and

Advice on internal borrowing and investment of developer contributions and levies

transparency. On our preliminary review of the Kaldas Report, its relevant recommendations should not affect Council's ability to invest Developer Contributions which are, for the time being, not applied for the purpose they were required.

- 4.11 The Kaldas Report would require Council to undertake the thorough and transparent accounting process that we have advised above should be undertaken anyway. It does not make any recommendations to amend the legislative regime with respect to the investing of Developer Contributions.

CONCLUSION

Whilst not expressly provided for under the EPA Act, there appears to be no legal impediment to Council internally borrowing Developer Contributions and investing such funds as permitted under the LG Act, until such time as they are required to be applied for the public purpose for which they were collected.

The EPA Act and 2000 Regulation contemplate such investments and were amended in 1992 to ensure that additional amounts earned from such investments form part of the Developer Contributions and are not applied for other purposes.

Council should proceed with such investment initiatives with caution as there is a really possibility that such investments would be misunderstood and misinterpreted as Council seeking to "profit" from using public funds rather than applying them for the purpose they were collected.

Council should protect itself from such potential criticisms, and potential audits initiated by the Planning Secretary, by thoroughly accounting for the funds being invested and the safeguards put in place to ensure funds are returned, without loss, to allow the public purpose for which they were collected to be carried out in a reasonable time.

If you have any further questions, please contact the us.

Yours faithfully
Bartier Perry



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Actuarial and Insurance Consultants

14 August 2019

Mr Chris White
Director City Corporate
Liverpool City Council
Level 4, 33 Moore St
Liverpool NSW 2170

Dear Mr White

Prudential framework for internal borrowings for capital works for Liverpool City Council

Introduction

Liverpool City Council (LCC) has retained Finity Consulting Pty Limited (Finity) to provide advice about a proposed approach for investing a proportion of funds contributed under section 7.11 of the *NSW Environmental Planning and Assessment Act 1979* (EPAA) into council-issued debentures to fund general capital works of LCC. The objective is to provide LCC with greater flexibility and lower cost of funding.

Finity understands that the purpose for which you require the advice sought under this assignment is to enable LCC to put in place a prudential mechanism that will make it highly likely that funds will be available as required for capital works anticipated to be undertaken in accordance with the requirements of Division 7.1 of the EPAA dealing with development contributions.

Conclusions

We recommend LCC consider putting in place the following policies for investing funds contributed under section 7.11 of the EPAA into council-issued debentures to fund its general capital works:

1. Each debenture is issued with a term of between 1 and 5 years until maturity and may be on an interest-only or principal and interest basis;
2. Each debenture is issued with a rate of interest no less than the current rate that T-Corp is offering for bonds of a term equal to the term of the LCC debenture;
3. No more than 50% of unexpended Section 7.11 funds is invested in LCC debentures at any time: if this limit is exceeded for any reason, LCC debentures closest to their maturity date are redeemed under the terms of the debenture instrument. The maturity profile of other securities in which unexpended Section 7.11 funds are invested is such that Section 7.11 capital works planned for the current and following financial year can be met from those investments as they mature;
4. The anticipated interest on borrowings for either the current or the following financial year does not exceed 15% of Net Cash Provided by Operating Activities each year;

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5. The amount of debentures issued in a financial year does not exceed:
 - a. The amount of section 7.11 unexpended funds at the start of the year, plus
 - b. The principal for any LCC debentures due for repayment during the year, less
 - c. The amount budgeted to be expended during the current and following financial years for section 7.11 capital works
6. The maturity profile of bonds on issue is targeted to fall within the following bands:

Outstanding Bond Term	Minimum	Maximum
Less than 12 months	15%	30%
12 to 24 months	10%	30%
24 to 36 months	10%	30%
36 to 60 months	15%	40%
Over 60 months	Zero	Zero

Background

We have considered various sources of information summarised in Attachment A.

NSW local councils including LCC are empowered to obtain contributions from developers under section 7.11 of the EPA to fund capital works for the provision of public amenities or services which may include additional local roads and other access, stormwater and drainage, recreational and community facilities to address increased demand which development is expected to generate. LCC has seven contribution plans that are currently in force applicable to different areas within the council boundaries. Developer contributions must be spent to provide the services or amenities described in the relevant plan and they must be spent in general proximity to the development for which the contribution was received.

LCC also has a considerable capital works program to replace or upgrade existing infrastructure or undertake new works for reasons which are not linked to new development. These capital works are funded from other sources, including rates income, grants and borrowings.

While developer contributions must eventually be expended to provide additional amenities proximate to the development, there is no fixed timeframe, so capital works are scheduled around the relevant development areas and the availability of trades and other resources. As a consequence, at any time there is a balance of unexpended Section 7.11 funds. LCC accounts separately for developer contributions received and expended as 'restricted funds' within its accounts, with the balances invested generally with NSW T-Corp.

LCC is considering establishing debentures in which a proportion of the unexpended Section 7.11 funds would be invested. Each debenture will be issued in respect of a particular project or group of capital works projects and for a term, between 1 and 5 years, which has regard to the nature of the capital works. It is intended that the debentures will pay interest only during their term, with the capital being repaid in full at the end of the term.



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Table 1 summarises the past 14 years' history of development contributions (first three columns) and the forward estimates for the next 10 years (last two columns) together with the capital expenditure from both development and other sources of funding.

Table 1 Overview of development contributions and capital expenditure

	2005-06 to 2008-09*	2009-10 to 2013-14	2014-15 to 2018-19	2019-20 to 2023-24	2024-25 to 2028-29
	\$m	\$m	\$m	\$m	\$m
Section 7.11 funds					
Opening Balance	61.2	24.8	72.8	158.8	184.9
Receipts					
s7.11 Contribution	43.1	94.0	199.1	289.5	223.0
s7.11 Interests	17.2	14.4	16.1	23.6	17.0
s7.11 fair value gain/(loss)	-7.0	2.0	-0.1	0.0	0.0
Proceeds from disposal of s7.11 funded Property	0.0	2.6	2.5	5.1	0.0
Expenditure					
Capital funding	-88.6	-61.2	-124.8	-288.8	-267.5
Operating funding (Salaries, Valuation)	-1.0	-1.3	-0.5	-1.8	-2.0
Loan repayment for s7.11 borrowing	0.0	-2.6	-6.2	-1.6	0.0
Closing Balance	24.8	72.8	158.8	184.9	155.4
Total Capital Expenditure	215.9	247.4	654.7	875.6	591.8
Capital expenditure funded by -					
S7.11 Funding	88.6	61.2	124.8	288.8	267.5
Other Funding	127.3	186.3	529.9	586.8	324.2
Total Funding	215.9	247.4	654.7	875.6	591.8

* Four year period - later periods are 5 years

The above table and the underlying annual projections on which it is based indicate:

- Increasing receipts from developer contributions in most years from 2009/10 which are expected to peak at around \$65 million in 2019/20 and then reduce gradually to still be around \$40 million per annum by 2028/29
- Increasing capital works funded from both developer contributions and other sources.

Interest rate to apply to borrowings from Section 7.11 balances

In order to set a benchmark which is independent of Council's own activities and is linked to market rates, we recommend that the rate be set relative to rates set by the NSW Government T-Corp which undertakes borrowings and provides investments for NSW state and local government entities. For instance, at August 2019 we understand T-Corp three and five year bond investments are yielding around 0.85% and 1.1% respectively and lending rates for capital purposes are 1.3% to 1.5% per annum for those terms, suggesting a current differential of around 0.4% to 0.5% per annum between borrowing and lending rates.

The proposed issuing of debentures is intended to benefit both Council's general capital works, by providing access to additional funds at a cheaper cost than available from the market while not



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reducing the return available to the Section 7.11 unexpended funds. While there is a theoretical difference between the security of an investment with T-Corp versus LCC, we believe that an interest rate which lies anywhere between the rates at which Council can borrow from or lend to T-Corp for a given term provides an appropriate benchmark.

For simplicity, and given the relatively small margin involved at the present time and for the foreseeable future, we recommend that the rate be set equivalent to T-Corp bond rates on offer for the term at the time each debenture is entered into.

Considerations for proposed prudential framework

The priority is that unexpended Section 7.11 funds need to be available to meet capital work obligations for which they were contributed and which the various development contribution plans permit. Any investments should therefore be undertaken in a way that provides the return of capital over a period of, say, no more than five years so it is reasonably available to meet Section 7.11 capital expenditure if council made a decision to fund a large project such as the Carnes Hill Recreation and Community Centre in 2015-16 (\$24 million) or the ten projects in the Carnes Hill/Horningsea Park/Cecil Hills/Prestons/Middleton Grange localities in 2008-09 (totalling \$35 million). For simplicity we have modelled that any borrowings will be repaid in equal instalment annually over 5 years, on the basis that debentures are planned to be issued with terms of one to five years depending on the timeframe of the capital work proposed. However, LCC could also issue debentures where equal instalments are paid over the term of the debenture, which results in the repayment of principal over the whole period and hence a shorter effective term to maturity.

We examined options for limiting the amount of unexpended Section 7.11 funds that could be borrowed relative to the capital work commitments for those funds over the next 12, 18, 24 and 36 months from the start of the financial year. We also examined what could have been the effect of each of those approaches if they had been in place from 2007-08 through 2018/19 and the impact of introducing the policy from the 2019/20 year over the long term financial projection period to 2028/29. A summary of the outcome of each of those models is shown in Table 2.



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Table 2 Results of modelling alternative bases for prudential framework

Projection period:	History: 2007/08 to 2018/19				Long term financial projection: 2019/20 to 2028/29			
	36 mths	24 mths	18 mths	12 mths	36 mths	24 mths	18 mths	12 mths
Borrowing limit incorporating Section 7.11 capital works costs for	from balance date	from balance date	from balance date	from balance date	from balance date	from balance date	from balance date	from balance date
Maximum amount which could be borrowed	\$25M	\$100M	\$147M	\$198M	\$39M	\$169M	\$237M	\$304M
Borrowing cost savings (assuming 0.5% p.a. margin)	\$0.4M	\$1.4M	\$2.1M	\$2.9M	\$0.7M	\$3.0M	\$4.2M	\$5.4M
Council debentures outstanding as % of s7.11 fund closing balance	1% - 30%	15% - 49%	27% - 125%	44% - 213%	0% - 13%	27% - 38%	41% - 51%	53% - 67%
O/s s7.11 borrowings as % of total borrowings (current and non-current) including s7.11 as new borrowings	22% - 30%	55% - 62%	63% - 67%	69% - 70%	0% - 12%	25% - 60%	31% - 68%	36% - 73%
Council debentures maturing in year as % of cash and current investments (start of	1% - 4%	2% - 12%	4% - 15%	7% - 16%	0% - 7%	0% - 30%	0% - 41%	0% - 53%
Outstanding s7.11 borrowings to net tangible assets	0% - 1%	2% - 2%	2% - 3%	3% - 4%	0% - 1%	1% - 2%	2% - 3%	2% - 4%
Total borrowings (including s7.11) to net tangible assets	2% - 2%	3% - 4%	4% - 4%	4% - 5%	1% - 7%	3% - 8%	4% - 9%	5% - 9%
Interest on borrowings including s7.11 borrowings to net cash provided by operating activities	0% - 1%	1% - 2%	1% - 2%	1% - 2%	1% - 7%	2% - 8%	2% - 8%	2% - 8%

We observed the following from our modelling:

1. Assuming that LCC hold sufficient Section 7.11 unexpended funds in investments other than the proposed debentures would have allowed LCC to borrow between \$25 million and \$198 million in the twelve years 2007/08 and 2018/19 depending on the extent of future capital works funding included in the calculation of the borrowing limit. Over the ten year long term projection period, internal borrowings of between \$39 million and \$304 million are expected to be available on account of higher Section 7.11 lodgements over that period.
2. Assuming the margin between borrowing and lending rates had been 0.5% as at present (which may be relatively low compared to both the historic and prospective positions), LCC would have saved between \$0.4 and \$2.9 million if the policy had been in place and fully utilised. Over the coming ten years, we project corresponding interest savings between \$1 million and \$5.4 million depending on the policy adopted.
3. Outstanding debentures can represent an increasing percentage of the unexpended balance as the model moves from requiring 36 months future Section 7.11 capital works spend down to 12 months. The historic projections of models 3 and 4 result in the Section 7.11 unexpended balance being exceeded during one year (2008/09) because of a very large Section 7.11 capital expenditure in that year which was not taken into account by the policy in the borrowing limit of the previous year.
4. Historically, adoption of the policies would have allowed LCC borrowings to have been about 50% higher over the period on the first model and between one and two times greater on the other models. Prospectively, additional borrowing capacity of between two and three times currently projected levels becomes available on the second to fourth models.
5. Annual repayments of the debentures would historically have represented less than 20% of cash and current investments in any year, while they could amount to maximums of between



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7% and 53% prospectively with higher borrowings, noting that cash and current investments are projected to always exceed LCC's current liabilities on all scenarios modelled.

6. Adopting any of the proposed models did not result in total borrowings exceeding 10% of LCC's net tangible assets, and the interest on all borrowings remains below 8% of net cash provided by operating activities both historically and prospectively.

While adopting a policy which allowed projected future Section 7.11 contributions to be included could be considered, we believe that a prudential framework should avoid allowing prospective income from that source to support meeting existing obligations and so we have not modelled such an approach.

On balance, we believe that a model that takes into account the planned Section 7.11 expenditure over the next 24 months from the start of a financial year provides a suitable balance between ensuring the availability of these funds for capital works as required while taking into account the time that is taken to ensure works are delivered progressively for the overall developmental requirements of a locality and the broader needs of the whole LCC community for timely and cost-effective infrastructure development.

We have also suggested the inclusion of interest cover and maturity profile benchmarks in the guidelines together with a cap on the maximum percentage of the unexpended funds which is invested in LCC debentures. While these clauses are not expected to provide any material limitation on borrowings in current circumstances and those envisioned in the long term financial projections, they may be of relevance if, for instance, interest rates increase dramatically from recent and current rates and to prevent the immediate investment of all available funds at the maximum five year debenture maturity or a significant capital works project is planned beyond the time horizon of the policy calculations.

Reliances and Limitations

Reliances on Data

We have relied on the accuracy and completeness of the data and other information (qualitative, quantitative, written and verbal) provided to us by LCC management for the purpose of preparing this advice. We have not independently verified or audited the data, but we have reviewed the information for general reasonableness and consistency. If any of the data or other information provided is inaccurate or incomplete, our advice may need to be revised and this letter amended accordingly.

Uncertainty

We have undertaken our analysis and applied our professional judgement in the light of the information currently available about the way in which LCC intends to operate going forward. However, there are a wide range of uncertainties which may affect the way LCC can or chooses to operate as well as limitations in the information that is available.

Sources of uncertainty include difficulties caused by limitations of historical information, as well as the fact that outcomes remain dependent on future events, including legislative, social and economic forces as well as the decisions which LCC may take. These could result in outcomes



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which lie well outside past experience and which the proposed prudential framework may not fully adapt to. We recommend LCC review the effectiveness of the framework once it has been in operation for, say, three years to identify if there would be merit in modifying it as circumstances change.

Limitations on Use

Our advice has been prepared for the sole use of LCC including its management and members of the Council for the purpose stated in the introduction. It is not necessarily suitable for any other purpose. It takes account of LCC's particular situation including both Section 7.11 and other capital works expenditure and development contribution receipts reflecting extensive development in the area in the coming decade and beyond and so we may have reached different conclusions if we were looking at another entity.

The report should be considered as a whole. Members of Finity staff are available to answer any queries that LCC may have, and the reader should seek advice before drawing conclusions on any issue in doubt.

LCC may include the report in papers for meetings of Council or its subcommittees and it may be published as part of those papers. No other reproduction of the report or any part of it is authorised without Finity's written permission.

Third parties, whether authorised or not to receive this report, should recognise that the furnishing of this report is not a substitute for their own due diligence and should place no reliance on this report or the data contained herein which would result in the creation of any duty or liability by Finity to the third party.

Yours truly

David Minty

Geoff Atkins

Fellows of the Institute of Actuaries of Australia



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A Information Used

1. LCC Section 7.11 total development contributions and capital expenditure in relation to those contributions and in total for the period 2005/06 to 2018/19, together with detailed breakdown of major projects in certain past years where capital expenditure was higher than usual supplied by LCC management
2. LCC Long-Term Financial Plan 2016/17 to 2027/28 published on Council's website
3. Draft LCC Long-Term Financial Plan 2019/20 to 2028/29 supplied by LCC management
4. Conversation with NSW T-Corp manager on 9 August in relation to current interest rates on bond instruments issued by T-Corp and lending by T-Corp to local councils.



INVESTMENT POLICY

Adopted:

TRIM:



INVESTMENT POLICY**1. LEGISLATIVE AND REGULATORY REQUIREMENTS**

All Council investments are to be made in accordance with:

- a) *Local Government Act* 1993: Section 412 and 625 (Attachment A)
- b) *Local Government Act* 1993: Prevailing Order of the Minister (Attachment B)
- c) *Local Government (General) Regulation* 2005: Clause 212 (Attachment C)
- d) *Trustee Act* 1995: Sections 14A(2) and 14C(1) and (2) (Attachment D)
- e) Australian Accounting Standards
- f) Office of Local Government Investment Policy Guidelines.

2. PURPOSE/ OBJECTIVES

- 2.1 Council will seek to maximise earnings from authorised investments within agreed levels of risk, return and exposure.
- 2.2 This policy establishes the framework within which investment principles are to apply to the investment of Council funds at the most favourable term available to Council at the time, to maximise returns, while paying due consideration to matters of risk, liquidity and security for its investments.
- 2.3 This policy sets out:
 - a) Council's objectives for its investment portfolio;
 - b) How investments are to be undertaken;
 - c) The applicable risks to be managed;
 - d) Any constraints and other prudential requirements to apply to the investments of funds, having regard to the applicable legislation and regulations governing Council investments;
 - e) The manner in which compliance with the policy and strategy will be monitored and reported;
 - f) Appropriate benchmarks for each category of investments.
- 2.3 While exercising the power to invest, consideration needs to be given to preservation of capital, liquidity and the return on investments. Council, therefore, has several primary objectives for its investment portfolio:
 - a) Compliance with legislation, regulations, the prudent person tests of the *Trustee Act* and best practice guidelines;
 - b) The preservation of the amount invested;
 - c) Ensuring that there are sufficient liquid funds to meet all reasonably anticipated cash flow requirements; and
 - d) Generating income from investments that exceeds the performance benchmarks mentioned later in this document.

INVESTMENT POLICY

3. POLICY STATEMENT**3.1. Authorised Investments**

3.1.1 All of the Council's investments must be denominated in Australian dollars. The Council may only invest money in the following forms of investment, as taken directly from the *Local Government Act 1993* – Order (of the Minister) Circular No: 11/01, gazetted on 11 February 2011, and its successors. (*The complete document is included in Schedule 3.*):

- a) Any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- b) Any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- c) Interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cth)), but excluding subordinated debt obligations;
- d) Any bill of exchange which has a maturity date of not more than 200 days, and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- e) A deposit with the New South Wales Treasury Corporation (NSW TCorp) or investments in NSW TCorpIM funds;
- f) Existing investments "grandfathered" under the Ministerial Investment Order.

3.1.2 All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

3.2 Transitional Arrangements

3.2.1 Subject to clause 3.2.2 of this policy, nothing in the Order affects any investment made before the date of the Order which was made in compliance with the previous Ministerial Order dated 31 July 2008 and such investments are taken to be in compliance with the Order.

3.2.2 Clause 3.2.1 only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with the Order.

3.3 Risk Management: Credit and Maturity Guidelines

3.3.1 Investments are to comply with three key criteria relating to:

- a) Overall Portfolio Credit Framework: Limit overall credit exposure of the portfolio;
- b) Institutional Credit Framework: Limit exposure to individual ADIs, based on their credit ratings; and
- c) Term to Maturity Framework: Limits based upon maturity of securities.

INVESTMENT POLICY

- 3.3.2 All references to credit ratings refer by default to that applied by ratings agency Standard and Poor's (or equivalent Moody's or Fitch). In case of disagreement ("split ratings") Council can elect the consensus category for reporting and compliance assessment of both new and existing investments. Such treatment is to be explicitly noted in reports.
- 3.3.3 Overall Portfolio Credit Framework
To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category. (Refer to Appendix F for Standard and Poor's ratings definitions).

Overall Portfolio Credit Limits		
Long-term Credit Ratings	Short-term Credit Ratings	Direct Investments Maximum
AAA Category	A-1+	100%
AA Category/ Major Bank Category	A-1	100%
A Category or below	A-2	60%
BBB Category	A-3	40% - 45%
Unrated	Unrated	5% -10%
Specific Ministerial Approved Forms of Investment		

NSW TCorp Deposits and TCorpIM Funds	100%
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[Debentures issued by Council](#)

[Refer to clause 3.9.4](#)

For the purpose of this Policy, "Major Banks" are currently defined as the ADI deposits or senior guaranteed principal and interest securities issued by the major Australian banking groups:

- Australia and New Zealand Banking Group Limited
- Commonwealth Bank of Australia
- National Australia Bank Limited
- Westpac Banking Corporation

including ADI subsidiaries whether or not explicitly guaranteed, and brands (such as St George).

- 3.3.4 Institutional Credit Framework
Exposure to an individual institution will be restricted by their credit rating so that single entity exposure is limited, as set out in the table below:

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Long-term Credit Ratings	Short-term Credit Ratings	Direct Investments Maximum
AAA Category	A-1+	45%
AA Category/ Major Bank Category	A-1	35%
A Category or below	A-2	25%
BBB Category	A-3	15%
Unrated	Unrated	2%
Council Approved NSW Treasury Corporation Deposits and TCorpIM Funds		
Cash Fund		45%
Strategic Cash Fund		45%
Medium Term Growth Fund		15%
Long Term Growth Fund		10%

Note: Short-term ratings are used only for investments where no long-term rating exists.

- 3.3.5 Term to Maturity Framework for non-liquid assets (exclude tradeable securities such as FRN's, TCD's, Bonds etc.)
The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Profile		
Portfolio % <1 year	Min 40%	Max 100%
Portfolio % >1 year	Min 0%	Max 60%
Portfolio % >3 years	Min 0%	Max 25%

- 3.3.6 Council's risk profile for the purposes of investing surplus cash funds can generally be described as *conservative, risk averse and income defensive*, and has the following characteristics:
- a) A requirement for secure income stream, and
 - b) A requirement for capital protection.
- 3.3.7 Section 14C of the *Trustee Act 1925* sets out requirements for trustees to have regard to, when exercising the power of investments. These guidelines

INVESTMENT POLICY

(Attachment D) are considered appropriate for Council and underpin the formulation of this investment policy and are in accordance with legislative requirements.

3.4 Risk Management – Additional Guidelines

3.4.1 Investments obtained are to be considered in light of the following key criteria:

- a) **Preservation of Capital:** The requirement for preventing losses in an investment portfolio's total value.
- b) **Credit Risk:** The risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this policy, it relates to the risk of loss due to the failure of an institution/ entity with which an investment is held to pay the interest and/ or to repay the principal of an investment;
- c) **Diversification:** The requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market;
- d) **Liquidity Risk:** The risk that an institution runs out of cash, is unable to redeem investments at a fair price within a timely period, and thereby Council incurs additional costs (or in the worst case is unable to execute its spending plans);
- e) **Market Risk:** The risk that fair value or future cash flows will fluctuate due to changes in market prices, or that benchmark returns will unexpectedly overtake the investment's return;
- f) **Maturity Risk:** The risk relating to the length of term to maturity of the investment. The longer the term, the greater is the length of exposure and risk to market volatilities; and
- g) **Rollover Risk:** The risk that income will not meet expectations or budgeted requirement because interest rates are lower than expected in future.

3.4.2 The following Risk Management Strategies will apply, where appropriate:

- a) Investment credit rating and maturity percentage limits will be applicable as at the time of making the specific investment, and retested for compliance at least annually, taking into consideration of reasonable cash flow expectations;
- b) Investments that fall outside of the above eligibility rules post initial investment shall be divested as soon as practicable whilst being cognisant of prevailing market conditions;
- c) This policy does not mandate a minimum credit rating for any single investment. In the event that the credit ratings profile in aggregate falls outside the credit rating limits, as set within this policy, Council will review investments of the non-complying category. Divestment of some investment to conform to this policy should be evaluated, while Council should be cognisant of transaction costs, any extenuating circumstances and the time taken to rebalance through scheduled maturities.

3.5 Liquidity

3.5.1 Cash flows must be monitored daily and Council will ensure that it maintains a minimum level of liquid funds available to finance day-to-day requirements.

INVESTMENT POLICY**3.6 Performance Benchmarks**

- 3.6.1 The performance of each investment will be assessed against the benchmarks listed in the table below.
- 3.6.2 It is Council's expectation that the performance of each investment will be equivalent to the applicable benchmark to justify the investment, taking into account its risks, liquidity and other benefits of the investment.
- 3.6.3 It is also expected that Council will take due steps to ensure that any investment is executed at the best pricing reasonably possible.

Investment	Performance Benchmark	Time Horizon
11 am Account including TCorpIM Cash Fund, short dated bills, deposits issued by financial institutions of appropriate term.	AusBond Bank Bill Index (BBI)	3 months or less
Term Deposits of appropriate remaining term, FRNs nearing maturity, TCorpIM Strategic Cash.	AusBond Bank Bill Index (BBI)	3 months to 12 months
Term Deposits with a maturity date between 1 and 2 Years, FRNs.	AusBond Bank Bill Index (BBI)	1 to 2 years
FRNs, Bonds, Term deposits with a maturity date between 2 and 5 Years.	AusBond Bank Bill Index (BBI) Bloomberg Ausbond composite 2-5 yr index	2 to 5 Years
TCorpIM Managed Funds (Diversified or Growth Asset Sectors)	Fund's Internal Benchmark	3 Years (M/T Growth) 7+ Years (L/T Growth or Growth sector funds)

- 3.6.4 "Grandfathered" investments are allocated to the appropriate horizon based on expected or average maturity date and should be taken into account when allocating the rest of the portfolio.
- 3.6.5 The decision on when to exit "grandfathered" investments is based on a range of criteria specific to the investments, including but not limited to factors such as:
- Returns expected over the remaining term;
 - Fair values;
 - Competing investment opportunities;
 - Costs of holding;
 - Liquidity and transaction costs;

INVESTMENT POLICY

- f) Outlook for future investment values, and
- g) Risk of defaulting payment

3.6.6 In general, it is expected that professional advice will be sought before transacting in any investments that become “grandfathered” by regulatory or policy changes.

3.7 Investment Strategy

3.7.1 Council's Investment Strategy will run in conjunction with its Investment Policy and will set out:

- a) Council's current cash flow expectations and the implications for deviations from a long-term liquidity profile;
- b) Diversification: allocation of investment type, credit quality, counterparty exposure and term to maturity profile;
- c) Market conditions and the appropriate responses, particularly relative positioning within the limits outlined in this policy;
- d) Relative return outlook, risk-reward considerations, assessment of the market cycle and hence constraints on risk; and
- e) Appropriateness of overall investment types for Council's portfolio.

3.7.2 The Investment Strategy will fully comply with legislative requirements and the investment policy.

3.8 Direct Investments**3.8.1 Third Party Suppliers and Dealers**

Council will structure its affairs in order to be economical in its investment management costs, favouring dealing direct in its fixed interest (or, where intermediated, arrangements that result in a rebate of brokerage) where possible.

At times, it will be advantageous to deal with third parties that are remunerated on a transaction, rather than retainer basis. Council will use such suppliers where to its advantage, and have regard to the “best execution” test in its Investment Policy. Specifically, Council will have regard to the:

- a) Administrative cost savings;
- b) Ability to access higher (retail) rates where these exceed the direct transaction costs;
- c) Access to ADIs that would not normally have an institutional direct channel;
- d) Limited access or other secondary market opportunities that are only available from specific sources; and
- e) The costs of other distribution channels that do not involve transaction remuneration.

Council will take steps to ensure that:

- a) Any suppliers used are appropriately licensed, reputable and capable;
- b) Funds and identification data are sufficiently secured;

INVESTMENT POLICY

- c) Third party arrangements do not materially worsen Council's credit risks by creating exposure to the dealer as counterparty; and
- d) Remuneration arrangements are reasonable and transparent, whether paid by Council or by the issuer directly.

3.8.2 Minimum Investments

Face value of individual investments should generally be a minimum of \$500,000, but typically a larger parcel should be purchased.

3.9 Investments in Debentures issued by Council

3.9.1 Council may invest developer contributions collected and held under section 7.11 of the *Environmental Planning and Assessment Act 1979* in debentures issued by Council, provided that the developer contributions are not, for the time being, required for the purpose for which they were collected.

3.9.2 Contributions may only be invested in debentures issued by the City Environment & Infrastructure directorate or the Property and Commercial Development team (or successor units) of Council to fund capital works in the Liverpool local government area.

3.9.3 Debentures may only be issued with the approval of Council by resolution. It is the responsibility of the Director City Environment & Infrastructure and/or the Director Property and Commercial Development to seek and obtain the approval of Council for the terms and conditions, and the issue of, any debentures.

3.9.4 The following prudential requirements apply to investments in debentures issued by Council:

- Each debenture is issued with a term of between 1 and 10 years until maturity and may be on an interest-only or principal and interest basis;
- Each debenture is issued with a rate of interest no less than the current rate that T-Corp is offering for bonds of a term equal to the term of the debenture;
- Total annual loan commitment from section 7.11 framework is not to exceed 20% of the total uncommitted fund balance in any given financial year;
- No single loan commitment may exceed 15% of the total uncommitted fund balance at the time the loan is authorised by Council;
- The total commitment of loans against the section 7.11 fund may not exceed 40% of the total fund balance at any given time; and
- If the total amount loaned against the fund reaches 50% or more, then the oldest loan(s) (in terms of time) will be required to advance their payment schedule(s) to repay the section 7.11 fund to maintain a maximum of no more than 50% loaned funds against the fund reserve.

3.9.5 Council must return all investments from the developer contributions fund, together with any interest earned from their investment, to the fund so that they may be applied in accordance with the purpose for which they were collected.

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3.9.6 All contributions, together with any interest earned from their investment, are required to be returned in the following circumstances:

- a) If the Minister makes a written demand or request for their return;
- b) If the contributions are required by law to be returned;
- c) At the end of the investment period as approved by resolution of Council;
- d) If the contributions, or part of the contributions, are no longer required to fund the capital works relating to the investment; or
- e) If the contributions are required to be returned by the prudential requirements in clause 3.9.4.

3.9.7 All contributions must be returned to the developer contributions fund in full without any deduction or withholding for tax or any other reason, unless required by law.

3.9.8 Council may use funds from its General Fund or any other available grant-funded or loan-funded source to ensure that contributions are returned to the developer contributions fund within the time required for their return, but only if the invested funds are not available or accessible within the required timeframe.

3.9.9 Council must maintain accurate accounting records that allow the contributions, and any interest earned from their investment, to be distinguished from all other money held by Council at all times.

3.9.10 All investments of contributions in debentures issued by Council are subject to the reporting requirements in clause 3.11 of this Policy.

3.109 Independent Investment Advisors

3.109.1 Council will appoint an independent investment advisor and obtain advice as may be required.

3.109.2 Council's investment advisor is appointed by the Chief Executive Officer and must be licensed by the Australian Securities and Investment Commission. The advisor must be independent and must confirm in writing that they have no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy. Independence includes receiving no commissions or other benefits in relation to the investments being recommended or reviewed, except as fully rebated to Council.

3.109.3 In making an appointment, Council shall give regard to selection criteria provided in the Office of Local Government Investment Guidelines.

3.109.4 The above shall not prevent Council from seeking investment advice from NSW TCorp.

3.110 Responsibility for implementing this policy and reporting obligations

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3.119.1 The Manager Financial Services is responsible for implementing this policy and providing the following reports:

a) A monthly report to Council showing:

- 1) Confirmation of compliance with legislation and policy limits;
- 2) The market value of investments, as provided by Council's designated third party reporting provider;
- 3) Investment portfolio performance; and
- 4) Monthly investment income earned versus budget.

b) For audit purposes, certificates must be obtained from Austraclear (if used) and financial institutions, confirming the amounts of investment held on Council's behalf at 30 June each year.

c) The current month Investment Register, which must be published on Council's website.

3.124 **Delegation of authority**

3.124.1 The Chief Executive Officer is delegated by Council to invest surplus funds and may sub-delegate this function to appropriately qualified and experienced members of Council staff, subject to financial limits and statutory restrictions, as set out in this policy and in Council's delegations.

3.124.2 This policy is subject to any revision of the Minister's Order.

AUTHORISED BY

Council Resolution

EFFECTIVE FROM

25 October 2017

REVIEW DATE

25 October 2018

DEPARTMENT RESPONSIBLE

Corporate Services (Financial Services)

VERSIONS

Version	Amended by	Changes made	Date	TRIM Number
1	Adopted by Council	Not applicable	5 September 2005	36623.2005
2	Council resolution	Minor amendments	6 November 2006	113456.2006
3	Council resolution	Complete review	19 April 2010	071463.2010

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4	Council resolution	Complete Review	28 September 2011	162083.2011
5	Council resolution	Complete Review	25 February 2015	028348.2015
6	Council resolution	Minor amendment	26 May 2015	132894.2015
7	Council Resolution	Minor amendments plus eligibility of TCorpIM Growth	25 October 2017	

THIS POLICY HAS BEEN PREPARED AFTER CONSULTATION WITH

Corporate Services (Governance and Legal Services)

Council's Investment Advisor

Internal Audit unit

Attachment A**Local Government Act 1993 – Section 625****625 How may councils invest?**

- (1) A council may invest money that is not, for the time being, required by the council for any other purpose.
- (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.

Editorial note: See Gazettes No 152 of 24.11.2000, p 12041; No 94 of 29.7.2005, p 3977 and No 97 of 15.8.2008, p 7638.

- (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
- (4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.

INVESTMENT POLICY**Attachment B - Investment Order**

INVESTMENT POLICY

LOCAL GOVERNMENT ACT 1993 – INVESTMENT ORDER

(Relating to investments by councils)

I, the Hon. Barbara Perry MP, Minister for Local Government, in pursuance of section 625(2) of the *Local Government Act 1993* and with the approval of the Treasurer, do, by this my Order, notify for the purposes of section 625 of that Act that a council or county council may only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:

- (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- (b) any debentures or securities issued by a council (within the meaning of the *Local Government Act 1993* (NSW));
- (c) interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the *Banking Act 1959* (Cwth)), but excluding subordinated debt obligations;
- (d) any bill of exchange which has a maturity date of not more than 200 days; and if purchased for value confers on the holder in due course a right of recourse against a bank which has been designated as an authorised deposit-taking institution by the Australian Prudential Regulation Authority;
- (e) a deposit with the New South Wales Treasury Corporation or investments in an Hour Glass investment facility of the New South Wales Treasury Corporation;

All investment instruments (excluding short term discount instruments) referred to above include both principal and investment income.

Transitional Arrangements

- (i) Subject to paragraph (ii) nothing in this Order affects any investment made before the date of this Order which was made in compliance with the previous Ministerial Orders, and such investments are taken to be in compliance with this Order.
- (ii) Paragraph (i) only applies to those investments made before the date of this Order and does not apply to any restructuring or switching of investments or any re-investment of proceeds received on disposal or maturity of such investments, which for the avoidance of doubt must comply with this Order.

Key Considerations

An investment is not in a form of investment notified by this order unless it also complies with an investment policy of council adopted by a resolution of council.

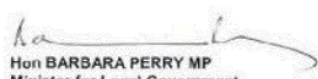
All councils should by resolution adopt an investment policy that is consistent with this Order and any guidelines issued by the Chief Executive (Local Government), Department of Premier and Cabinet, from time to time.

The General Manager, or any other staff member, with delegated authority by a council to invest funds on behalf of a council must do so in accordance with the council's adopted investment policy.

Councils have a fiduciary responsibility when investing. Councils should exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

When exercising the power of investment councils should consider, but not be limited by, the risk of capital or income loss or depreciation, the likely income return and the timing of income return, the length of the term of the proposed investment, the liquidity and marketability of the proposed investment, the likelihood of inflation affecting the value of the proposed investment and the costs (including commissions, fees, charges and duties payable) of making the proposed investment.

Dated this 12th day of January 2011


Hon BARBARA PERRY MP
Minister for Local Government

INVESTMENT POLICY**Attachment C****Local Government (General) Regulation 2005 – Clause 212****212 Reports on council investments**

- (1) The responsible accounting officer of a council:
- (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:
 - (i) if only one ordinary meeting of the council is held in a month, at that meeting, or
 - (ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and
 - (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.
- (2) The report must be made up to the last day of the month immediately preceding the meeting.

Note. Section 625 of the Act specifies the way in which a council may invest its surplus funds.

INVESTMENT POLICY

Attachment D

The Trustee Act 1925 Sections 14A (2), 14C (1) & (2)**14 Powers of investment**

A trustee may, unless expressly forbidden by the instrument (if any) creating the trust:

- (a) Invest trust funds in any form of investment, and
- (b) At any time vary any investment.

14A Duties of trustee in respect of power of investment

- (1) This section has effect subject to the instrument (if any) creating the trust.
- (2) A trustee must, in exercising a power of investment:
 - a) if the trustee's profession, business or employment is or includes acting as a trustee or investing money on behalf of other persons, exercise the care, diligence and skill that a prudent person engaged in that profession, business or employment would exercise in managing the affairs of other persons, or
 - b) If the trustee is not engaged in such a profession, business or employment, exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

Some Acts deem investments under the Acts to be investments that satisfy the prudent person test. See, for example, section 39 of the *Public Authorities (Financial Arrangements) Act 1987*.

- (3) A trustee must exercise a power of investment in accordance with any provision of the instrument (if any) creating the trust that is binding on the trustee and requires the obtaining of any consent or approval with respect to trust investments.
- (4) A trustee must, at least once in each year, review the performance (individually and as a whole) of trust investments.

14C Matters to which trustee is to have regard when exercising power of investment

- (1) Without limiting the matters that a trustee may take into account when exercising a power of investment, a trustee must, so far as they are appropriate to the circumstances of the trust, if any, have regard to the following matters:
 - (a) the purposes of the trust and the needs and circumstances of the beneficiaries.
 - (b) the desirability of diversifying trust investments,
 - (c) the nature of, and the risk associated with, existing trust investments and other trust property,
 - (d) the need to maintain the real value of the capital or income of the trust,
 - (e) the risk of capital or income loss or depreciation,
 - (f) the potential for capital appreciation,
 - (g) the likely income return and the timing of income return,
 - (h) the length of the term of the proposed investment,

INVESTMENT POLICY

- (i) the probable duration of the trust,
 - (j) the liquidity and marketability of the proposed investment during, and on the determination of, the term of the proposed investment,
 - (k) the aggregate value of the trust estate,
 - (l) the effect of the proposed investment in relation to the tax liability of the trust,
 - (m) the likelihood of inflation affecting the value of the proposed investment or other trust property,
 - (n) the costs (including commissions, fees, charges and duties payable) of making the proposed investment,
 - (o) the results of a review of existing trust investments in accordance with section 14A(4).
- (2) A trustee may, having regard to the size and nature of the trust, do either or both of the following:
- (a) obtain and consider independent and impartial advice reasonably required for the investment of trust funds or the management of the investment from a person whom the trustee reasonably believes to be competent to give the advice,
 - (b) pay out of trust funds the reasonable costs of obtaining the advice.
- (3) A trustee is to comply with this section unless expressly forbidden by the instrument (if any) creating the trust.

INVESTMENT POLICY

Attachment E – Definitions and Investment Instrument Description**Authorised Deposit Taking Institutions**

ADIs (Authorised Deposit-taking Institutions) are financial institutions which are authorised under the *Banking Act* 1959 and are subject to the prudential standards set out in the Act and regulated by APRA.

Australian Prudential Regulation Authority

APRA (Australian Prudential Regulation Authority) is the prudential regulator of the Australian financial services industry. APRA enforces prudential standards and practices (e.g. capital adequacy and other risk management issues) of banks, credit unions, building societies, insurance companies and friendly societies.

Austraclear

Austraclear is a clearing and settlement facility, licensed by the Australian Securities and Investments Commission and subject to certain financial stability standards administered by the Reserve Bank of Australia.

Bill of Exchange

A bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to or to the order of the specified person, or to the bearer. These can be underwritten by banks, to become “bank bills” on which the benchmark return is calculated.

Bloomberg UBS Bank Bill Index

UBS Australia calculated a daily Bank Bill Index representing the performance of a notional rolling parcel of bills averaging 45 days. This is the main performance benchmark that is widely used in the local government industry. The UBS Australia index family has been acquired by Bloomberg from Q3 2014, and while branding changed the benchmark is unaltered.

Code

Code means the *Local Government Code of Accounting Practice and Financial Reporting* published by the Office of Local Government (as in force from time to time).

Credit Rating

Credit Rating refers to a short or long term summary assessment of the credit worthiness of a debt issuer or of a specific issue.

Credit Risk

Credit risk is the risk that a party or guarantor to a transaction will fail to fulfil its obligations. In the context of this document it relates to the risk of loss due to the failure of an institution/entity with which an investment is held to pay the interest and/or repay the principal of an investment.

Direct Deposits

Direct deposits refer to investments made by Council (or on behalf of Council) directly with financial institutions.

INVESTMENT POLICY**Fitch Ratings**

Fitch Ratings is a credit rating agency that assigns credit ratings to corporate issues based on the prospects of default.

Investment Portfolio

The total pool of Council's investments.

Minister's Order

Minister's Order refers to the Order of the Minister for Local Government relating to Investments made by Councils dated 12 January 2011, and its successors.

Moody's Investor Services

Moody's Investor Services is a credit rating agency that assigns credit ratings to corporate issues based on the prospects of default.

Prudent Person Standard

Council's investments will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

Responsible Accounting Officer

Responsible Accounting Officer (RAO) of a council means a member of the staff of the council designated by the Chief Executive Officer, or if no such member has been designated, then the Chief Executive Officer.

Standard & Poor's

Standard & Poor's is a credit rating agency that assigns credit ratings to corporate issues based on the prospects of default.

Surplus Funds

Surplus Funds refers to money that is not, for the time being, required by the council for any other purpose.

11am call deposits

Cash invested on an overnight basis. Funds can be recalled or re-invested before 11am on the following business day.

Term Deposit

Funds invested with a financial institution at a predetermined rate that applies to the duration of the deposit. The principal is held on deposit for a fixed term with interest payable at set periods during the term and/or on maturity. It is not a tradeable security - the investor may well be penalised if funds are prepaid; increasingly, term deposits are declared "non-breakable" instruments.

Bank Bill

Bank-accepted bills are bills of exchange drawn by a company or individual (borrower) usually for periods between 30 and 180 days. The bill is accepted by the bank, which in turn accepts the liability for payment at maturity. It is a short-term investment issued at a discount to the face value and is of a very high credit standing, consequently trades at the lowest yields of all commercially issued bills.

INVESTMENT POLICY**Negotiable Certificate of Deposit (NCD)**

These are short-term bearer securities issued by banks, usually for up to 180 days although they can be for longer terms. They are often sold at a discount to face value and are highly liquid securities; representing the bank's debt. Creditworthiness of the bank will determine where the bank's NCD trades, relative to the BBSW. Also "Transferable Certificate of Deposit" (TCD).

Floating Rate Note/Bond (FRN)

The FRN is a longer-term debt security issued for a fixed period of time but has a variable (floating) coupon on a monthly or quarterly basis. The coupon reflects current interest rates, which is determined as a margin over the BBSW rate set. FRNs appeal to investors who are reluctant to commit funds to fixed rates for longer periods in times of fluctuating interest rates. Typical issuers are banks, corporates, financial institutions and securitised vehicles. Only Senior FRNs issued by an Australian Authorised Deposit Taking Institution such as a bank, credit union or building society are an eligible form of FRN investment.

Fixed Interest Securities (Bonds)

Securities issued by Commonwealth, State, trusts or corporate institutions that pay a fixed rate of interest (coupon) and mature at a fixed point in time. The interest (coupon) is paid at regular intervals (semi-annually, but can be paid monthly, quarterly, or annually). These securities are generally issued for a period of greater than one year. Currently, only the senior bonds issued by an Australian Authorised Deposit Taking Institution such as a bank, credit union or building society are an eligible form of FRN investment.

Covered Bonds and FRNs

In some cases, bank securities are secured by an external pool of assets. They are senior obligations of the bank, and therefore compliant with the Order, but command a higher credit rating – potentially AAA – due to the additional credit support.

Pooled Managed Funds

- **Sector Specific Funds**

These funds invest in one particular asset sector. A Cash Management Fund is an example of Sector Specific Funds as they predominately invest in the single asset sector of fixed/floating income securities with the aim of outperforming the UBS 90-day Bloomberg AusBond Bank Bill Index benchmark. They are designed to enhance returns on short-term holdings as an alternative to short-dated bank bill and term deposit portfolios. They provide easy access to holdings and are usually redeemable within 24 to 48 hours.

These types of funds tend to have no fixed maturity date. Only funds managed by NSW Treasury Corporation are currently eligible pooled managed fund investments.

- **Diversified Funds**

These funds invest in a pre-determined range of asset classes including one or more of cash, fixed interest, property, and Australian & international shares. The weighting among the various asset classes will differ depending upon the type of diversified fund chosen, e.g. Conservative Funds (TCorplM's Medium Term Growth) have a higher weighting in cash and fixed interest than Balanced Funds (TCorplM's Long Term Growth) that have higher weightings in growth assets such as property and shares.

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These types of funds tend to have no fixed maturity date. These types of Funds are however eligible investments under the Ministerial Order.

INVESTMENT POLICY

Attachment F – Standard & Poor's Ratings Description**Credit Ratings**

Standard & Poor's (S&P) is a *Nationally Recognized Statistical Rating Organization (NRSRO)* as defined by the US SEC; it provides analytical services. An S&P rating is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation — based on relevant risk factors.

Credit ratings are based, in varying degrees, on the following considerations:

- a) Likelihood of payment.
- b) Nature and provisions of the obligation.
- c) Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.

The issue rating definitions are expressed in terms of default risk.

Short-Term Investment-Grade Obligation Ratings are:

A-1: This is the highest short-term category used by S&P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.

A-2: A short-term obligation rated A-2 is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

A-3: A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.

Long-Term Investment-Grade Obligations Ratings are:

AAA: An obligation/obligor rated AAA has the highest rating assigned by S&P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.

AA: An obligation/obligor rated AA differs from the highest rated obligations only in a small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.

A: An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligor in higher rated categories. However, the obligor's capacity to meet its financial commitment on the obligation is still strong.

BBB: An obligation/obligor rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on the obligation.

INVESTMENT POLICY

Speculative Grade: Lower long-term rating bands exist, from BB down to C; these are considered "speculative-grade;" to varying degrees, more vulnerable to default than the "investment-grade" ratings above. Likewise, there are lower short-term ratings. Obligations in default are rated D.

Unrated: Financial institutions do not necessarily require a credit rating from the various ratings agencies such as Standard and Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building Societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all Authorised Deposit Taking Institutions (Banks, Building Societies and Credit Unions).

Plus (+) or Minus (-): The ratings from "AA" to "CCC" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories.

CreditWatch highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indicated.

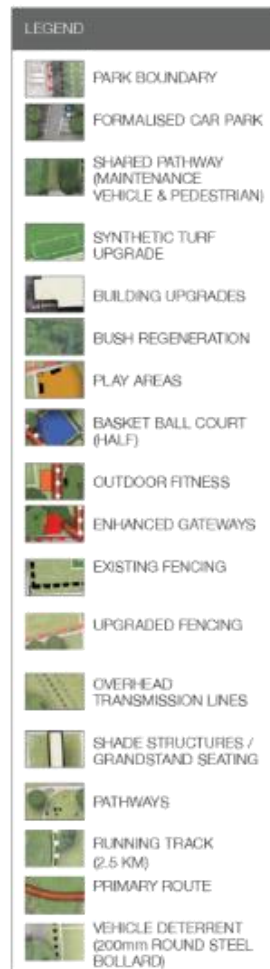
A Rating Outlook assesses the potential direction of an issuer's long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and/or fundamental business conditions. An outlook is not necessarily a precursor of a ratings change or future CreditWatch action. A "Rating Outlook – Positive" indicates that rating may be raised. "Negative" means a rating may be lowered. "Stable" indicates that ratings are not likely to change. "Developing" means ratings may be raised or lowered.

Other NRSROs have comparable rating bands and definitions.

ERNIE SMITH RESERVE: MASTER PLAN

DATE: 04/06/2019

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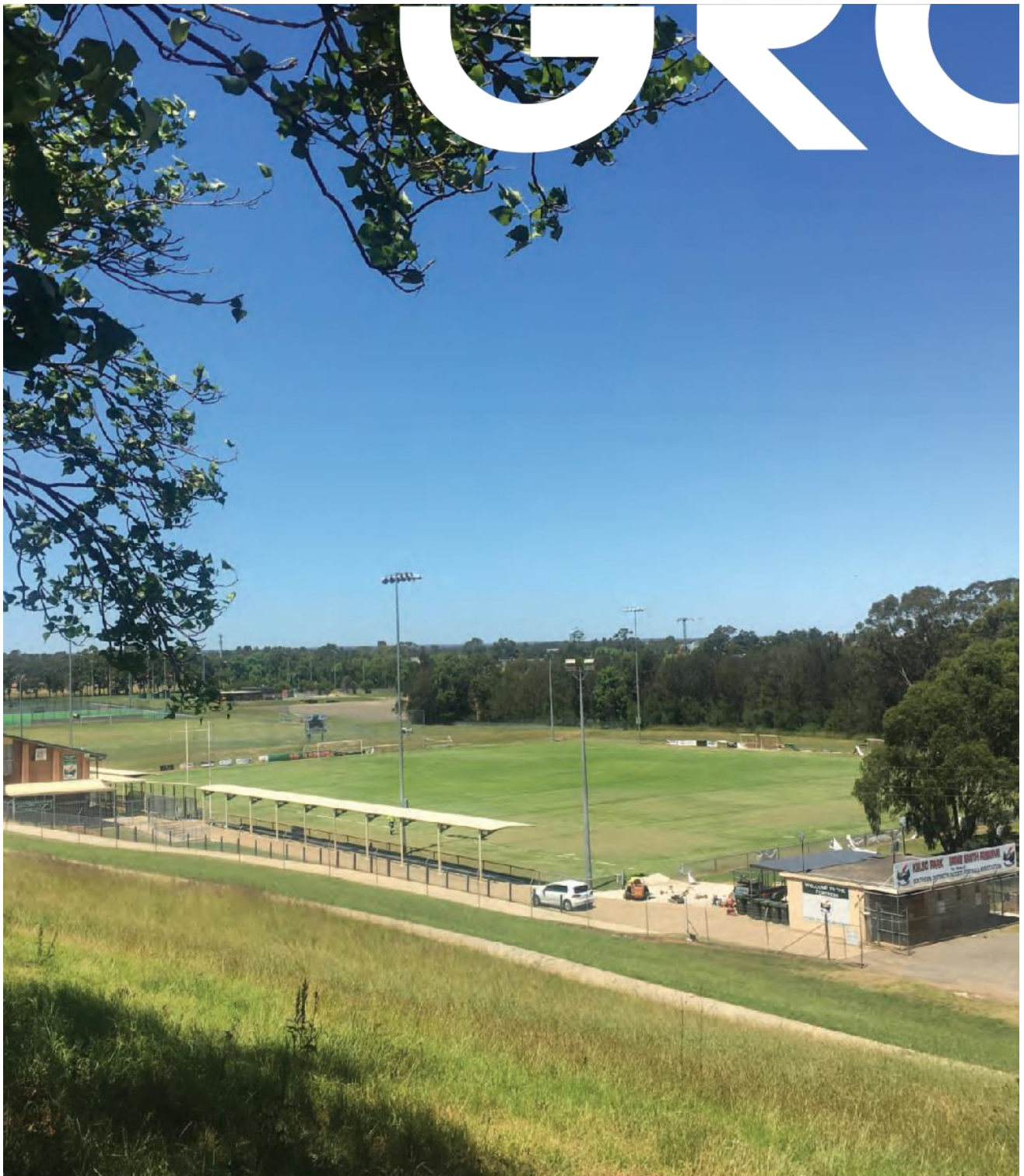


NOTES:

1. TIMBER LIGHT POLES / POWER POLE WITHIN RESERVE THAT ARE IN POOR CONDITION ARE TO BE REPLACED WITH STEEL POLES.

2. UPGRADE EXISTING 1.2M AND 1.5M PATH WITHIN RESERVE TO BE 2M WIDE.





Written by:
GROUP GSA

On behalf of:
**LIVERPOOL
CITY
COUNCIL**

ERNIE SMITH RESERVE MASTER PLAN REPORT

For Liverpool City Council

Final - June 2019

Ernie Smith Reserve Master Plan Report

For Liverpool City Council

Date June 2019

Issue	Title	Date	Prepared	Checked
1	Ernie Smith Reserve Analysis Report	21 Dec 2018	MG / KL	AH
2	Ernie Smith Reserve Analysis & Masterplan Report	18 Jan 2019	MG / KL	AH
3	Issued as Final Report (Draft)	15 March 2019	MG / KL	AH
4	Re-issued as Final Report (Draft)	21 March 2019	MG / KL	AH
5	Issued to Council	10 May 2019	MG / KL	AH
6	Final Issue	31 May 2019	MG / KL	AH
7	Final Master Plan	04 June 2019	MG / KL	AH
8				

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1.0 SITE ANALYSIS

1.1 INTRODUCTION

Ernie Smith Reserve and Kelso Park together form a significant area of open space approximately 25.8 hectares in size, located in the suburb of Moorebank, Liverpool. The parks are bounded by Newbridge Road to the north, Jack O'Sullivan Road to the east and Junction Road to the south. The Reserve provides regional level public sporting facilities for south-western Sydney as well as minor passive recreation uses.

Located adjacent to one another, the parks are comprised of formal sports facilities (soccer and hockey fields), a skate park, playground, shelters, open grassed areas and a native vegetation corridor running along Anzac Creek on the western side of the site. This vegetation corridor is ecologically valuable and includes the endangered River-flat Eucalyptus Forest community.

Home to Southern Districts Soccer Football Association and Moorebank Liverpool District Hockey Club, the sportsfields at Ernie Smith Reserve are used for high level competitions such as the Football NSW Premier League and the Hockey Women's Masters tournament, as well as school competitions and less formal fitness groups.

As the adjacent area further develops, the importance of this open space as a place of recreation, respite and relaxation will increase. There is a particular need to upgrade the existing sports amenities to enable groups to host higher standard sports fixtures and provide more modern venues for the community of Moorebank.

The vision is to encourage wider public use of the parks, reinforce and improve sports facilities, and at the same time recognise the site's natural assets.

Recreation and organised sporting uses will continue to be the major programs of the parks with the aim of enhancing the site's informal recreation and leisure experience. The parks will develop a stronger ecological framework to strengthen its contribution in protecting the threatened ecological communities of the Moorebank area and provide habitat linkage from Chipping Norton Lakes in the north to the vast bushland of Holsworthy in the south.





View A: Panorama of soccer field and car park in the central part of the reserve



View B: Panorama from top of eastern slope adjacent Jack O'Sullivan Road looking down to the reserve



View C: View towards Southern Districts Soccer Club

1.2 REGIONAL CONTEXT

Urban context

Ernie Smith Reserve and Kelso Park are located 25km south-west of the Sydney CBD, 2km south-east of Liverpool CBD and 3km south-west of Chipping Norton Lakes. The reserves sit at the heart of Moorebank, one of the 42 suburbs in the Liverpool Local Government Area (Liverpool LGA). The Reserves are bound by the A34 (Newbridge Road) in the north, creating a strong physical and psychological barrier, marking the transition to the neighbouring Chipping Norton suburb.

Close to the South West Sydney growth area, the Liverpool LGA is one of the fastest-growing areas of Sydney despite its past industrial background. By the year 2028 it is estimated to have a population of more than 300,000 (2016 NSW Projections - Sydney Metro LGA Data). As part of Liverpool City Council's Recreation, Open Space and Sports Strategy, existing recreation, open spaces and local sports infrastructure will be upgraded to cater for the envisioned rising population.

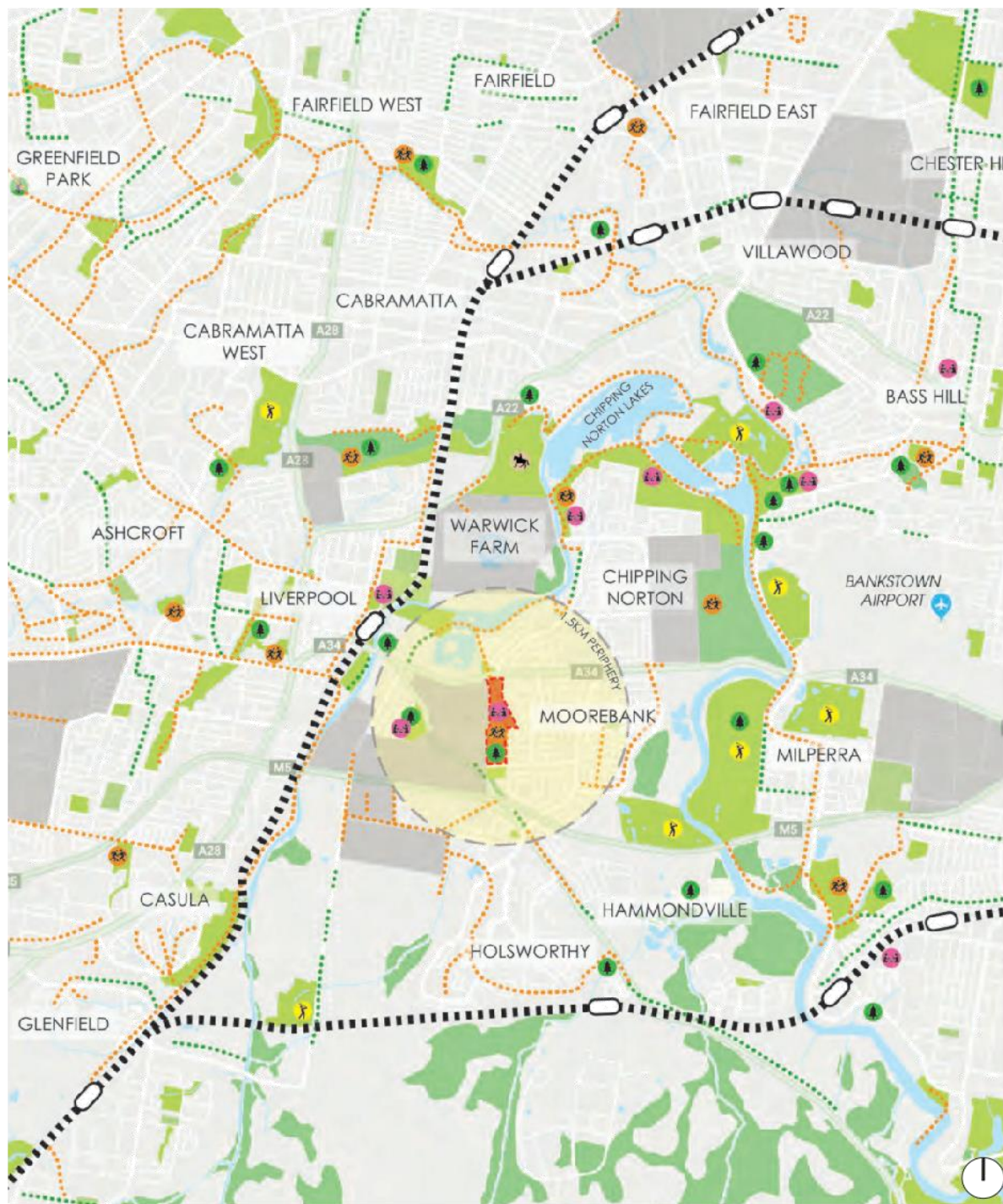
Open space context

Ernie Smith Reserve forms part of a wider green corridor running along Anzac Creek. The creek is part of the nearby Georges River system, connecting to the river via Lake Moore. It forms the main ecological corridor for the Moorebank area, however, the quality of the creek here is poor and in need of revival. Likewise, the current informal recreation offering of the reserve is somewhat minimal, with a focus on sporting amenity and club use.

Recreation context

With the potential growth of Liverpool's population and possible future redevelopment of adjacent industrial sites, demand for recreational facilities is expected to increase. Furthermore, with easy access from and to major roads such as the Hume Highway and South Western Motorway, Ernie Smith Reserve is in a well serviced location to be recognised as a regional sports venue.

With five large sports fields, Ernie Smith Reserve contributes significantly to the formal recreation offering of the Moorebank area. Although there are several large areas of open space towards the east of the site, most are golf courses, placing a high significance and reliance on the masterplan area as both formal and informal recreation venue for the local community.



LEGEND

- SITE BOUNDARY
- 1.5KM PERIPHERY
- OPEN SPACE
- BUSHLAND
- INDUSTRIAL DEVELOPMENT

- WATERWAY
- OFF-ROAD BIKE ROUTE
- ON-ROAD BIKE ROUTE
- TRAIN LINE
- TRAIN STATION

- ⚽ SPORTS FIELD
- 🎮 PLAYGROUND
- 🌳 RESERVE
- 🏌️ GOLF COURSE
- 🐎 RACE COURSE
- ✈️ AIRPORT

1.3 LOCAL CONTEXT

Land use context

Located in the heart of Moorebank, Ernie Smith Reserve and Kelso Park are adjacent to medium density residential area on the east and light industrial development on the west, acting as a transition marker between the two types of land use. The closest commercial centre is the Moorebank Shopping Centre within 500 metres of the site and is surrounded by high density residential area, providing supermarket, eateries, bank, pharmacy and other necessities to local residents and visitors.

Ernie Smith Reserve and Kelso Park are well serviced by buses on both north and south of the site, connecting the site with nearby suburbs including Chipping Norton, Hammondville and Liverpool. The closest train station to the site is Liverpool Station, located 2km from the site at the Liverpool commercial centre. The railway line and Georges River bounding the edge of Liverpool centre creates a physical border between Liverpool and Moorebank. This makes Newbridge Road the only access road to and from the site and the Liverpool centre. This boundary seems to have led to great contrast in terms of land use on two sides of the river, with the east of the river dominated by industrial development and the west of the river being the commercial heart of Liverpool.

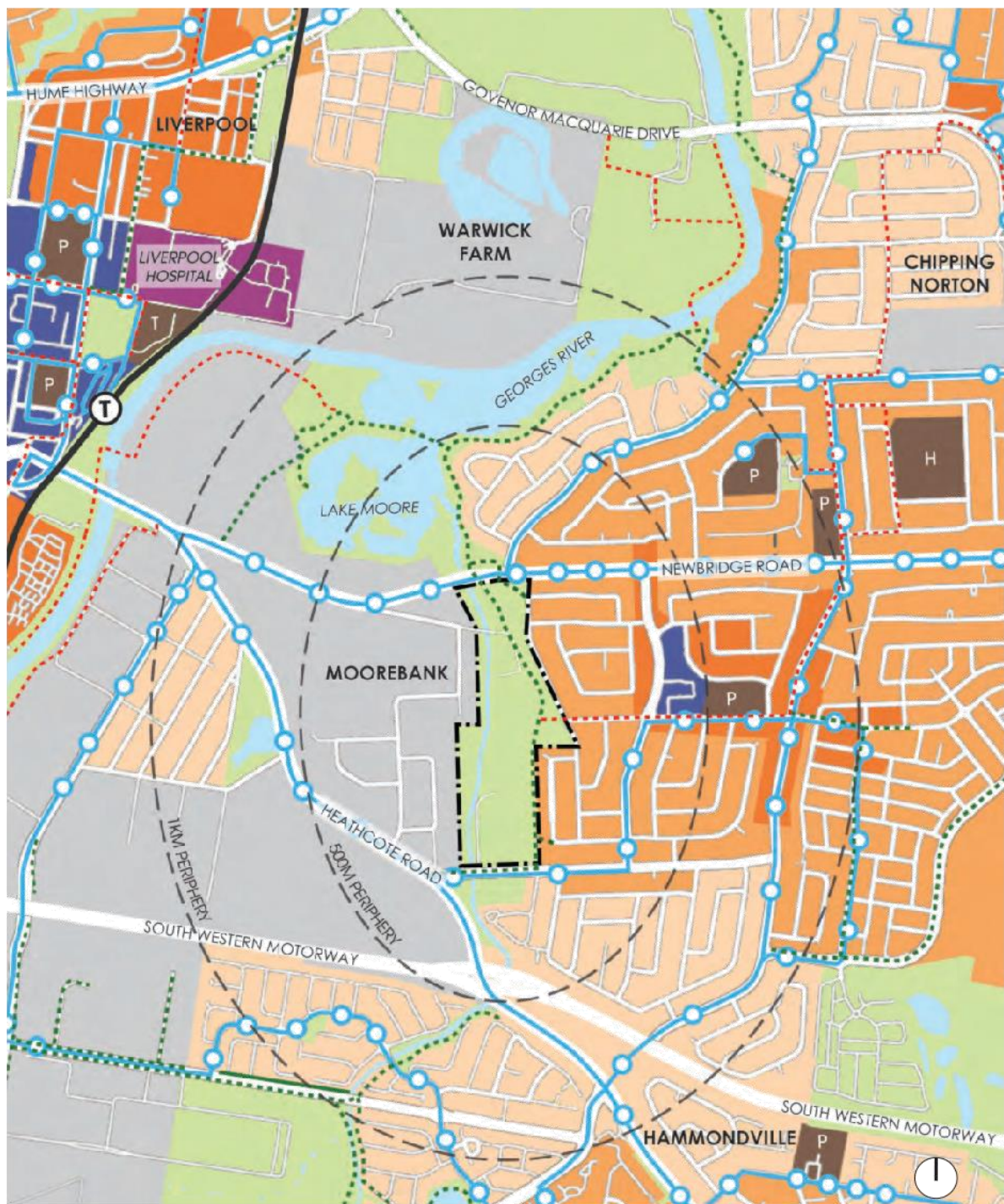
Park users

Ernie Smith Reserve is comprised largely of sports fields, which play host to Moorebank Liverpool District Hockey Club and Southern Districts Soccer Football Association. Both clubs hold regular games within the reserve, along with practice sessions and training. Local schools often make use of the turf pitches to the south of the site, whilst private sports groups, such as touch football are permitted on allocated days to use the synthetic hockey pitches. With three primary schools within 1km periphery of the Reserve and a few more education institutes around, the park and reserve are also in a prime position for informal recreation after hours, although pitch use is limited due to security measures (fencing) in place around their periphery.

In the north more informal recreation facilities are provided at Kelso Park including a skate park and a small children's playground, thus is more utilised by residents in the surrounding neighbourhoods.

Newbridge Road, a 6-lane arterial road used heavily by trucks, buses and cars, physically segregates the park from McMillan Park further north. A secondary shared bike and pedestrian path cuts through the site and connects to McMillan Park through an under pass below Newbridge Road, eventually connecting to the Georges River riverside. Users may be deterred from using this underpass due to its condition and lack of passive surveillance.

The Liverpool Council cycle path extension towards Liverpool, will likely create better connection between the reserve and surrounding community.



LEGEND

SITE BOUNDARY

500M / 1KM PERIPHERY

PARKLAND

LOW DENSITY RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL

HIGH DENSITY RESIDENTIAL

PRIMARY SCHOOL

HIGH SCHOOL

TAFF NSW LIVERPOOL

HOSPITAL

COMMERCIAL

INDUSTRIAL DEVELOPMENT

WATERWAY

EXISTING BIKE ROUTE

PROPOSED BIKE ROUTE

TRAIN LINE

TRAIN STATION

BUS ROUTE

BUS STOPS

1.4 CIRCULATION

Entrances

- Ernie Smith Reserve has two vehicular entrances, one from Kelso Crescent and another from Junction Road. Both entrances lead to a car park and sports club, with no vehicular connections between the two. This arrangement often creates confusion on match days.
- Users entering via Kelso Crescent need to drive over a narrow one-way bridge across Anzac Creek before arriving at the parking area and Southern Districts Soccer Football Association amenities building. This entrance also does not appear to be obvious to users unfamiliar with the park and has a boom gate controlling access which the club manages.
- The Junction Road entrance is connected with a long, unsealed access road leading to the Moorebank Liverpool District Hockey Club and a relatively large but poorly surfaced parking area. Like the Kelso Crescent entrance, a boom gate is situated at the Junction Road entrance to control access to the Reserve. This is controlled by council.
- There are three formal pedestrian / cycle entries to the Reserve; two in the north and one in the south. A locked entry on Iraking Avenue leads to a remote parcel of land which does not connect to the rest of the park, whilst the ten informal pedestrian entrances on Jack O'Sullivan Road lead to a steep slope on the eastern side of the site. There are currently no direct routes down this slope.

LEGEND

	SITE BOUNDARY		LOW FENCE
	VEHICULAR ENTRANCE		HIGH FENCE
	PRIMARY / FORMAL PEDESTRIAN ENTRANCE		FENCE GATES / OPENING
	SECONDARY / INFORMAL PEDESTRIAN ENTRANCE		CAR PARK
	PEDESTRIAN CROSSING		SPORTS FIELDS
	VEHICULAR ACCESS ROUTE		SPORTS CLUBS
	PRIMARY PATH		ANZAC CREEK
	SHARED PATH		SIGNAGE
	SECONDARY PATH		BRIDGE ACROSS CREEK
	INFORMAL PATH		BUS STOP
			PEDESTRIAN UNDER PASS





Bridge crossing at the Kelso Crescent entrance



Boom gate at the Junction Road entrance



Informal track along western fences



Under bridge threshold to McMillan Park

Circulation and Connection

- The primary pedestrian / cyclist shared path runs lineally from north to south of the Reserve, connecting the skate park, playground and sports amenities within the site.
- Bus services are available both north and south of the park, connecting the site to surrounding suburbs.
- To improve circulation and users' flow within the site, the path system needs to be further developed to connect more effectively with the parking areas and entrances to the sports fields.
- Fences around the sports fields are dominant features in the site.
- These fences, particularly on the western side of the fields, block access and connection to other areas of the park.
- The informal path along the fence line to the west of the pitches is presumably used by sports users and spectators, but forms an unpleasant and imposing environment.
- Other informal paths on the eastern edge of the site also suggest the need to create a better pathway connection or walking loop within the site.
- An area in need of improvement is the underbridge area is the northwestern corner of the park.
 - This threshold underneath Newbridge Road connects Kelso Park to the adjacent McMillan Park.
 - Brightening up the tunnel with natural or artificial lighting will help improve security of the area.

1.5 CURRENT USE

Community use

- A relatively small portion of the park is used for informal recreation year-round.
- Kelso Skate Park is used by skaters, scooter and BMX riders of all ages and levels of competence. The skate park was upgraded in December 2017 and includes a number of ramps, jumps, blocks and skate bowls. An additional skate bowl which appears to be disused is located further down the path hidden within vegetation.
- A playground with shade structure, slide, swings and climbing net is situated next to the skate park. The play equipment is in good condition but very basic and does not accommodate mixed age groups. There is a small amount of shade provided by shelters around picnic sets, however, much of the area is exposed and could be uncomfortable in summer.
- There are four car parks in the Reserve, with two being private parking areas for the sports clubs. The two public car parks are both poorly surfaced with gravel and do not have standard line markings.
- A disused remote control car track lies on the eastern side of Anzac Creek which contains buried asbestos and is therefore unsuitable for redevelopment without treatment.
- Dogs on leash are generally allowed in the reserve.

LEGEND

---	SITE BOUNDARY
	INFORMAL RECREATION
	NATURAL GRASS FIELDS
	ARTIFICIAL TURF FIELDS
	PASSIVE OPEN SPACE
	FENCED OPEN SPACE (INACCESSIBLE)
P	CAR PARK
	FENCES
---	ANZAC CREEK
	SPORTS CLUBS & AMENITIES
🛹	SKATE PARK
🎠	PLAYGROUND
🏒	HOCKEY FIELD
⚽	SOCCER FIELD





Kelso Skate Park



Playground adjacent to Kelso Skate Park



Soccer field with player dugouts (Pitch 02)



Informal gravel parking area with bushes along creek line behind

Sports

- Pitch 01 (Southern Districts Soccer Football Association) primary pitch is used for high level games and local competitions through out the year. These matches attract audiences of up to several hundred or more during important games.
- Natural turf pitch 02 is used as a secondary pitch and hosts mostly weekend soccer competitions as well as school soccer matches. The area to the north of the pitch is used as a warm up area. Recently a fence has been installed around this pitch, making it inaccessible for passive/casual use.
- Synthetic pitches 03, 04 and 05 (Moorebank Liverpool District Hockey Club) are used primarily for hockey matches and team training throughout the year. Use of these pitches is limited to hockey due to the type of synthetic turf used in their construction. Whilst sometimes used for irregular soccer training, boot type is strictly monitored to prevent damage.
- Natural turf pitches 06, 07 and 08 are used mainly as overflow capacity and by school groups when tournaments are held at the hockey facility. Unfortunately casual users are deterred from using the pitches for soccer due to damage caused by their studded boots during wet weather, which leaves the pitches unplayable for hockey.
- Natural turf pitch 01 and pitch 02 are irrigated via a mains source to ensure they are playable year round.
- The synthetic hockey pitches ensure that the facility can be used year round, however there is currently no allocation for alternative sports such as cricket in the summer season on the turf pitches.

1.6 TOPOGRAPHY

- Ernie Smith Reserve and Kelso Park sit generally in the basin of Anzac Creek. Topography is flat through the centre of the site and steeply sloping along the eastern boundary, which makes access and siting of additional facilities difficult.
- The hill to the east creates good opportunity for views down to the Reserve and pitches below, but at the same time causes stormwater runoff towards the soccer pitches.
- Levels at the creek are lower than the surrounding by approximately 1.5m – 3m, while the north western corner slopes steeply below the level of Newbridge Road, creating a hidden access route to McMillan Park in the north. In general, the main pedestrian route is flat with the exception of a 300m portion to the east of the main soccer pitch. This may be a difficult route for the less able bodied.

LEGEND

- SITE BOUNDARY
- + 7.00 SPOT LEVEL
- CONTOURS (1M INTERVAL)
- CAR PARK
- SPORTS FIELDS
- ANZAC CREEK





Flat car park alongside creek



Views from eastern reserve boundary



View to the east across soccer pitch towards Jack O'Sullivan Road



Top of eastern reserve boundary, adjacent Jack O'Sullivan Road



Low lying trail under Newbridge Road



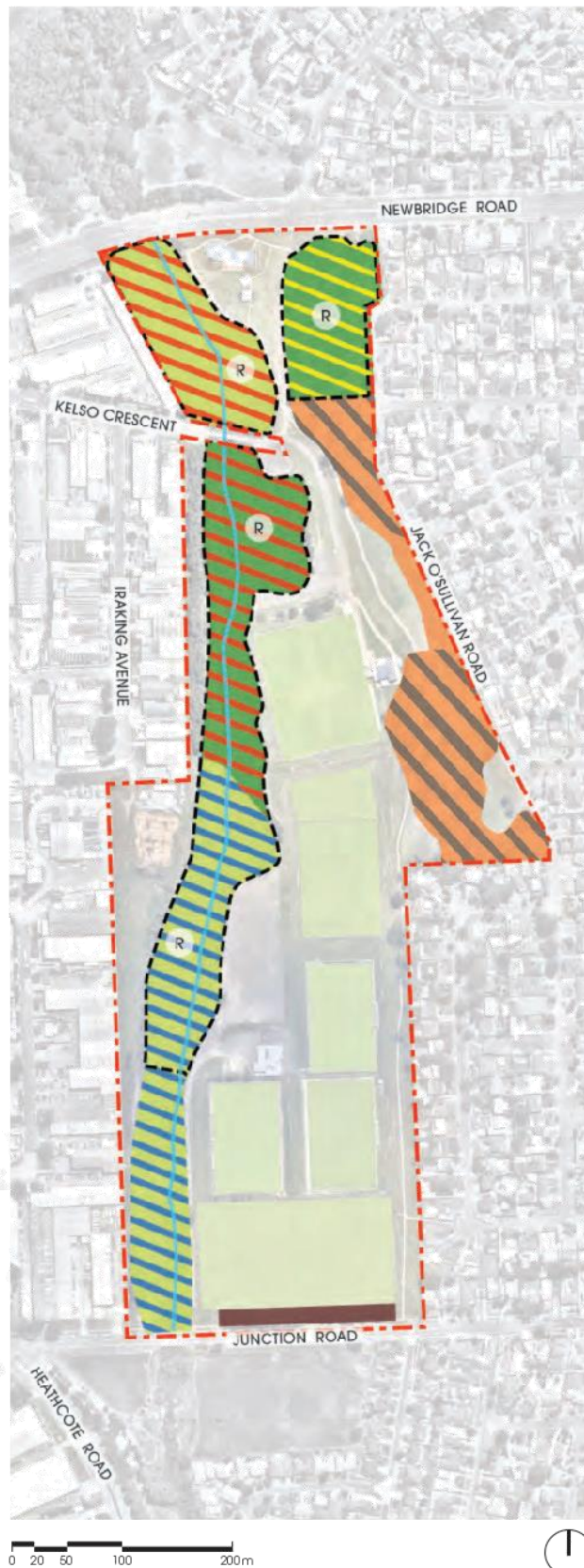
Slope with trees near skate park

1.7 ECOLOGY

- The majority of vegetation is generally culminated around the creek corridor, and portions of it are identified as Forest Red Gums, which are classified part of the River Flat Eucalyptus Forest community (listed as endangered under the *Biodiversity Conservation Act 2016*).
- The area along Anzac Creek is identified as Environmentally Significant Land (*Liverpool Local Environmental Plan*) and is currently undergoing environmental restoration.
- Around the periphery of the pitches, vegetation is limited to occasional scattered trees limited due to impacts of leaves on the synthetic pitches.
- Towards the east of the pitches, the steeply sloping area is covered by mixed grasses and a mixture of scattered / clumps of trees including some old-growth eucalyptus, providing important habitat values as several threatened birds including the Little Lorikeet, Dusky Woodswallow and Regent Honeyeater which have been noted in the Reserve.
- Generally, the vegetation is identified as good condition along the creek corridor but can be found in places overgrown and invaded by weeds, thus, is in need of management.
- On the western side of the creek, the area accessible only by Iraking Avenue is currently stripped of vegetation and would need treatment due to asbestos contamination brought in with fill material in the past.

LEGEND

- SITE BOUNDARY
- GOOD CONDITION (Canopy cover > 10%)
- GOOD CONDITION (Canopy cover < 10% — Native Understorey)
- POOR CONDITION (Scattered trees)
- FOREST RED GUM (Rough-barked apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin / plantings / weeds)
- FOREST RED GUM (Rough-barked apple grassy woodland on alluvial flats of the Cumberland Plain, Sydney Basin / plantings)
- Phragmites australis* and *Typha orientalis* coastal freshwater wetlands of the Sydney Basin / weeds
- MATURE TREES OVER CLEARED AREA
- MATURE PLANTINGS
- ENVIRONMENTAL RESTORATION WORKS
- ANZAC CREEK





Informal path through canopies west of Soccer Pitch 01



Low understorey to area adjacent soccer pitches



Creek in need of revitalisation



Newly planted area of trees on eastern hill



Mature Eucalyptus species along main road from Junction Road entrance



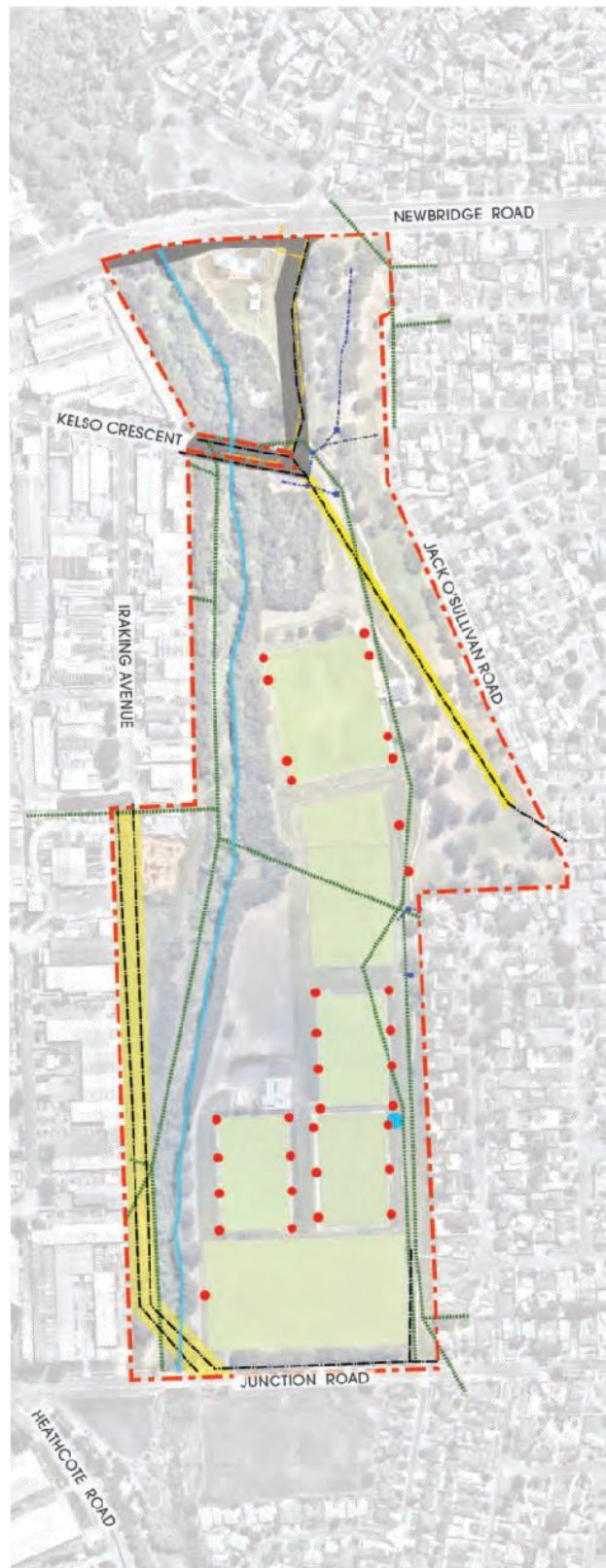
Scattered, poor condition trees and mixed grasses on eastern hill

1.8 SERVICES

- Multiple service easements running through the site, potentially causing impact on proposals, particularly in terms of tree planting
- Overhead electrical easement to eastern side of the park and alongside Kelso Reserve
- Road reserve runs through the park on the north, with several underlying services - a gas line underground and electricity power line overhead
- Sewer line runs around the eastern periphery of the pitches and also to the west of the creek
- The hockey pitches extract water from an underground bore hole for irrigation
- Soccer pitches extract water from water tanks located sub surface for irrigation
- Lighting generally around the path is limited. There is no significant lighting to any car park or pathway in the park

LEGEND

- SITE BOUNDARY
- SPORTS FIELDS
- ANZAC CREEK
- ROAD RESERVE
- ELECTRICITY POWER LINE
- ELECTRICAL EASEMENT
- SEWER LINE
- DRAINAGE LINE
- GAS LINE
- FLOOD LIGHT
- WATER TANKS



0 20 50 100 200m





Electrical power line near Junction Road entrance



Flood lights on edge of soccer pitch 1



Water tanks and pump room in fenced area to Hockey pitches



Stormwater pit near car park north of Soccer Pitch 01

1.9 SITE ANALYSIS



SITE ANALYSIS

Accessibility

- Primary pathways are linear and offer little amenity value
- Informal pathway alongside the creek is unsurfaced and uneven underfoot, but it is the only connection between southern and northern car park
- Limited access to creek side and no use associated with the western part of the park
- Land parcel to west of the park is unconnected and difficult to access
- Steep slope from Jack O'Sullivan Road causes poor pedestrian accessibility between eastern and central part of the park
- Lack of directional signage / orientation strategy
- Pathways often exposed and uncomfortable for users

Habitat & Vegetation

- A wide swathe of riparian corridor is highly valued but cannot be appreciated by park users
- Creek overgrown and in need of revitalisation

Services & Easements

- Services easements feature heavily in open spaces outside sports pitches

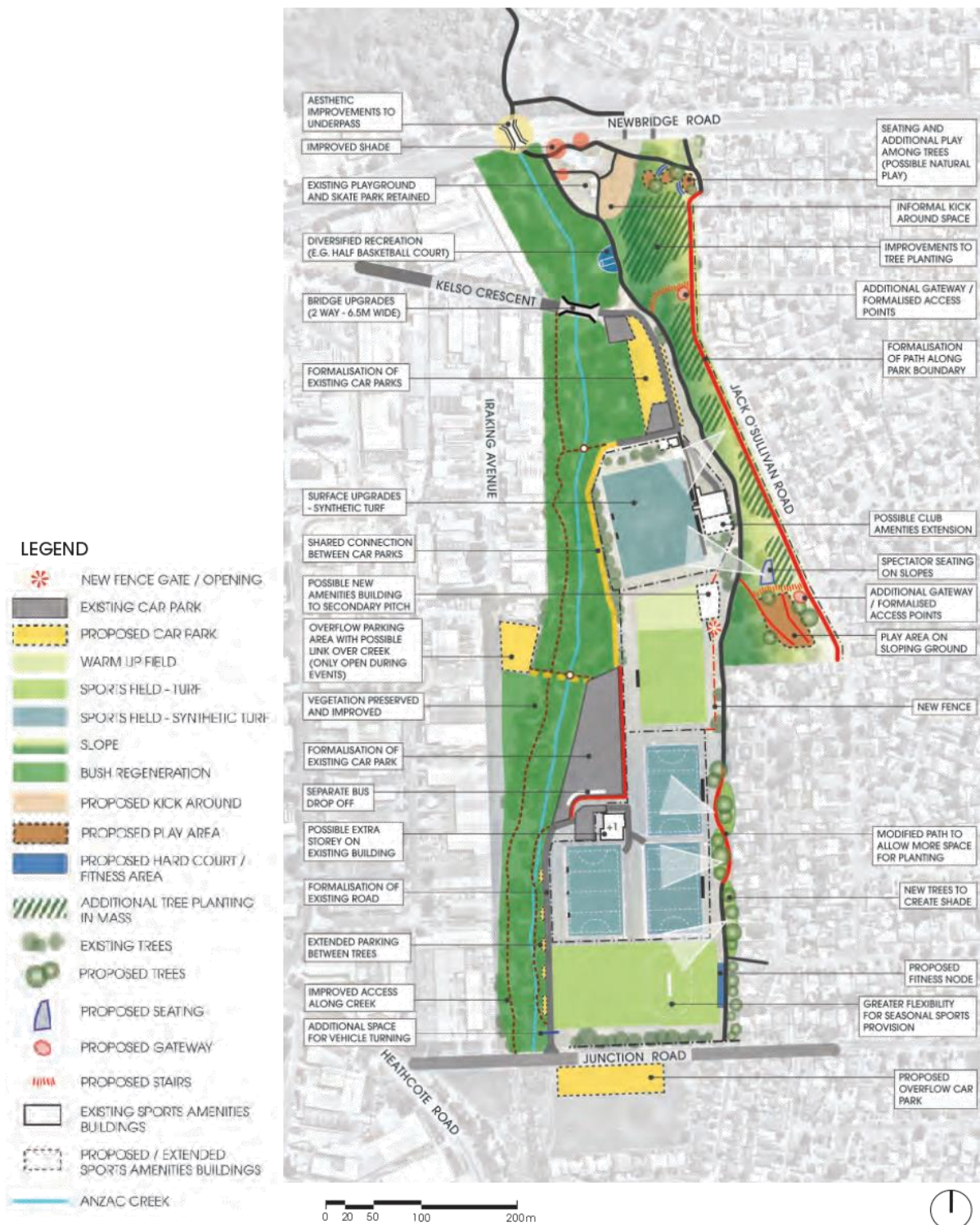
Organised Sports & Other Recreation

- Skate park (local scale facility) offers good quality youth recreation opportunities but is very exposed to the sun.
- Lack of shade for spectators
- No cricket pitches - lack of variety
- Fencing dominates the reserve, but creates security to sports clubs and pitches
- Fencing is of poor quality and can be easily damaged
- Lack of variation and offerings for passive users
- Fencing leaves little space on offer for informal sports

Supporting functions

- Disconnected car parks tend to physically creates confusion and lack of coherence
- Undefined parking bays and informal nature of parking surfaces provokes anti-social behaviour
- Club houses are in reasonably good condition

1.10 OPPORTUNITIES & CONSTRAINTS



OPPORTUNITIES & CONSTRAINTS

Opportunities

- Make connections between east and west of the park, providing informal course circuits
- Creek pathway could be introduced to promote use of this area, including bridge connection to wider path network
- Enhance the identity of the park by introducing signage and entrance feature planting / plazas to key gateways
- Tree planting could provide shade for exposed areas and along footpath, increasing user comfort
- High point on slope from Jack O'Sullivan Road could act as viewing point to the fields
- Improve and formalise parking areas for better wayfinding, security and vehicular circulation
- Improved fencing strategy could create better division of space and more opportunities for informal sports
- Improvement of safety through lighting upgrades
- Small scale, informal recreation upgrades such as fitness equipment around primary circulation could promote informal use

Strengths

- High quality hockey facilities (Hub for NSW hockey)
- Creek runs through the site providing natural amenity and habitat
- Blank canvas for parking areas
- Existing skate park well used and in good condition

Constraints

- Location of easements restrict use of space and tree planting
- Wetland along creek creates risk of flooding and limits access to the area
- Fences are required around sports clubs and most of the fields for security and privacy, limiting use of fields by general public
- Restricted access to steep slope from Jack O'Sullivan Road
- East west connections limited by creek and need for costly bridges
- High value mature riparian corridor limits recreational development opportunities around the creek

Weaknesses

- Rough around the edge appearance detracts from quality of facilities
- Narrow shape with pitches fenced off creates issues with east-west connectivity and constrains areas suitable for passive recreation.
- Visibility from Newbridge Road towards pitches and sports facilities is limited
- Vehicular access from Kelso Crescent limited to single track bridge making pedestrian and traffic movements dangerous
- Eastern landform makes access from Jack O'Sullivan Road difficult and use of space here for play and recreation expensive

1.11 CONSULTATION RESULTS

In order to fulfill the requirements for the site, several meetings were undertaken to obtain feedback from key stakeholders, user groups and the community. These groups consisted of Liverpool City Council Stakeholders (LCC), Southern Districts Soccer Football Association (SDSFA), Moorebank Liverpool District Hockey Club (MLDHC) and the general public / local users. The comments from these meetings have all been considered for implementation into the final master plan.

Liverpool City Council Stakeholders (LCC)

The council stakeholders consulted on 10th December 2018 and presented with a draft master plan on 1st February 2019 with the following outcomes (items discussed following presentation of draft master plan shown in *italics*):



Safety & Security

- The boom gate is constantly being destroyed and replacing it isn't serving a purpose for security nor is it cost effective.
- Boulders to be moved closer to act as preventative measure for car and motorcycle access.
- Lighting currently poor. Floodlights were recommended.
- *Fence to Newbridge Rd needs upgrading. Only half has been completed.*
- *Pathways are shown within existing vegetation, to provide a means of escape they should be 4m from the nearby property boundary.*



Parking

- Car park improvements to be formalised for both sporting associations. Sealed road access, marked car spaces and kerb and gutter.
- *Car park must allow buses to enter and depart.*
- *If the southern side of Junction Rd is going to be used for special event parking, a traffic device to make crossing the road safer should be considered.*
- *Provide car park area for main playground and skate park. Possibly consider the old skate board area, which has been proposed for a half basketball court but instead have this as the car park.*



Amenity Provision

- Confirmed that there is a lot of interest from youth groups wanting to attend school holiday programs (eg skate lessons).
- Families have requested a toilet block at Kelso Park. Rental/hire toilets currently only provided during holiday programs. This is also determined by budget constraints.
- Adult Gym and Children's playground to be included at the rear of the hockey fields close to residential properties to encourage activation.
- Shade structures to be considered for new upgrades. Shade to be provided at both ends of the skate park where they are used as resting points.
- *The playground inside the hockey area should be available to the community and not fenced in.*
- *Is the outdoor fitness nodes too close to residents?*
- *Should we distribute fitness nodes throughout the park to encourage movement within the park.*
- *Half basketball court is very hidden. Should be attached to other play facilities or good sight lines attained. Proposed location is isolated from other activities which may raise safety and vandalism issues.*
- *Practice cricket nets need to be included near cricket area.*
- *The placement of the public amenities building on the number 2 field means a duplication of facilities. Previous discussions with SDSFA indicated they were OK with toilets and change rooms for the number 2 field being positioned on the southern side of the existing amenities building. This would*

provide toilets for the main field crowds and the players on the number 2 field is right on the perimeter fence of the number 1 field.



Circulation

- Create linkages; pathways around sporting fields and connect to Kelso Park.
- Path access around the fields to be open to residents.
- Path linkages with Kelso Park to be improved.
- Bridge needs to be widened into a two way access and include pedestrian walkway.
- Implement circuit pathways around both fields.
- *Signage strategy to support visitors to find the facility and directing people within the reserve.*
- *Public amenities building will require daily opening and closing of the gate to allow access to the first portion of the car park.*
- *There should be an internal boom gate to prevent access to the football parking area at times when football is not present.*
- *Upgrade the Kelso Cres bridge to two way to support the increase facilities in the playground.*
- *The shared road between the north and the south end is essential. If two way is not possible then a one way road to allow cars to exit from the Junction Rd end should be considered.*
- *If the widening of the bridge is delayed the flow of traffic for football could be to enter from Kelso Cres. and exit from Junction Rd.*
- *If football users are coming to the ground to use the number 2 soccer field, there will need to be an internal pathway from the number 1 and number 2 field.*
- *The warm up area shouldn't be fenced. There need to be east west access in this section.*
- *Upgrade to Australian Standards all pathways and hard surfaces within the hockey area.*
- *Attracting east west connections within the reserve.*
- *The walking track alongside the creek should remain at the top of the embankment as it will impact on riparian vegetation. Paths could be located in the asset protection zone that is within 4m from the fence line.*
- *Consider accessible path from Jack O'Sullivan Rd to existing footpath in the reserve*



Anzac Creek

- Anzac Creek to be beautified.
- Anzac Creek to be embellished and encourage community activation.
- Previous restoration work has been largely unsuccessful



Maintenance

- Allowance in between field fence for machinery such as cranes when carrying out maintenance works on floodlights.
- Considerations need to be made for purpose built pathways that allow maintenance crews to get mowers in and out.
- Contaminated space could be used as overflow car parking. It would be easier to cap it and make use of the space.
- *The number 2 field must be irrigated or the surface won't be suitable for high level use.*
- *Low fencing around the grass hockey fields, adds to maintenance and makes the reserve less inviting.*
- *Improve maintenance access to main playground area. Identify an access route where the maintenance vehicles don't have to crossover too many footpaths.*
- *Multiple bridges will create points that collect flood debris and potentially blocking high flows contributing to further flooding.*



Identity

- A tribute (Statue) to be erected at the entrance of the Hockey Club to memorialise Anzac Day.
- At Kelso Cres entry, it needs more than an improved gateway signage but to open up the entry with landscape treatments.

Southern Districts Soccer Football Association (SDSFA)

The SDSFA stakeholders were consulted on 10th December 2018 and presented with a draft master plan on 2nd February 2019 with the following outcomes:



Safety, Lighting & Security

- Outer boundary fence to be installed, for additional security.
- Lighting upgrades for fields are required. 250 Lux is a standard requirement for international training.
- Issues with illegal dumping.
- Upgrades to perimeter fencing around the ground and playing field fencing. This will provide additional security to the fields.
- Lighting improvements that are at international standard.



Parking

- Car parking space is sufficient for spectators. However, it needs to be formalised.
- Currently there are 3-car parking spaces behind the amenities building. It would be desirable if there were 6 car parking spaces instead.



Identity

- Unattractive soccer fields. Interstate visitors are welcomed to an unattractive site.



Fields

- Fields 1 & 2 requires major redevelopment.
- Field 2 is the most urgent field requiring attention. Synthetic grass (Astro turf) is proposed as a high level of urgency.
- Field 2 requires all weather synthetic grass for the ability to play soccer all year round. There are approximately 200 teams in summer and 800 teams in winter.
- A dedicated warm up area is necessary for players to prepare for upcoming matches.



Amenity Provision

- Additional sun protection, shelters to be installed for spectators.
- Modifications to existing amenities building.
- Seating upgrades to cater for 500 people around field 2, including covered coaches and team dugouts.
- Desired inclusions for amenities building:
 - + Media Room
 - + Additional change rooms
 - + Room to hold classes (English classes for refugee parents)
 - + Maintenance shed (mowers/sweepers)



Circulation

- Patrons are confused by points of entry. Clearer signage needs to be erected.



Other Information

- SDSFA is extremely community driven. English speaking classes will provide parents with learning opportunities whilst their children play soccer.
- It was indicated that Blacktown International Sports Park is a benchmark sporting facility. It has synthetic fields, ample storage and canteen area.
- The SDSFA have their own plan (document) for the development of the club facilities.

Moorebank Liverpool District Hockey Club (MLDHC)

The MLDHC stakeholders were consulted on 10th December 2018 and presented with a draft master plan on 2nd February 2019 with the following outcomes:



Safety, Lighting & Security

- The boom gate has been repeatedly damaged and destroyed as a result of vandalism.
- Perimeter (chain fencing) being vandalised constantly. Suggested installation of palisade fencing around perimeter for additional durability and security.
- Motorcyclists are gaining access in between the sandstone boulders and destroying the hockey fields.
- Rubbish is being illegally dumped in carpark and in Anzac Creek.
- Install a more secure gate and consider moving it back by 5 meters. The additional space will allow for trailer access and is a safer solution.
- Carpark deterrents to be implemented to prevent cars being burnt out and entering fields.
- Suggested installation of security cameras to deter dumping and other illegal activity.



Parking

- Limited parking during major events (usually late Feb)
- Formalise carpark and seal existing dirt road.



Identity

- Anzac Creek to be beautified to encourage community involvement and generate passive spaces with BBQ facilities and shelters.
- Anzac Statue to be erected in carpark entry to memorialise the Anzac's. It is a 'fitting' location as it adjoins Anzac Creek.



Fields

- In good condition, relatively new and of a high standard
- Suggested installation of water tanks to assist with watering fields, trees etc.



Amenity Provision

- Adult Gym and children's playground to be included in 'activation spaces' near residential side (eastern side)
- Change room upgrades desirable elements:
 - + Referees or official change rooms.
 - + First aid room (with ambulance access)
- Sun shelters/awnings required for spectators.
- Canteen could be larger.
- Solar panelling to reduce electricity costs.
- Currently there is a temporary storage/garage shed in place. A permanent structure would be desirable.
- Installation of water tanks to assist with watering fields, trees etc.



Circulation

- Confusion by patrons entering Ernie Smith Reserve.
- There is no clear street signage to direct patrons to the hockey fields or soccer fields.
- Re-grade the slope accessing hockey fields (Cathy Flack Field) from clubhouse to change rooms. It is very steep and is a safety concern.
- Road crossing will be required along Junction Road to ensure safe access to hockey fields.



Other Information

- Major Event – Regional Challenge will be held for three days (22nd Feb –24th Feb)
- Anzac Creek flows into Georges River and Chipping Norton Lakes. Flooding hasn't occurred since 1987, water comes through pipes and settles onto fields.
- Signage for formal entrance should read 'Liverpool City Hockey Complex'
- The MLDHC have their own plan (document) for the development of the club facilities.

Public Consultation Event

The consultation was held 2nd February 2019 at the Southern Districts Soccer Football Association. At the consultation event, the draft master plan was displayed and members of the Council and design team were able to talk to attendees about the plans. Attendees included members of the sports club associations, parent and local residents. Generally the attendees were very positive about the proposals. There were a total of 8 surveys completed on the day with the following outcomes:

Q1: Do you agree that the draft master plan clearly outlines what Council plans to do?



Where this question was completed, all those surveyed either agreed or partially agreed with this statement.

Q2: Please mark priorities for what you consider most important for Council...



Shade Structures x 6

Carpark Facility x 5

Sports Facility / Amenity x 2



Children's Playground x 2

Footpath / Pathway Networks x 2

Outdoor Gym x 1

Q3a: How often would you use the reserve?



Daily x 2

Weekly x 2

1-2 Times per Month x 1

Q3b: During what time period would you use the reserve mostly?

Weekdays x 1

Weekends x 4

Early Morning (5am - 9am) x 1

Morning (9am - 12 Noon) x 1

Afternoon (12 Noon - 5pm) x 3

Evenings (5pm - 9pm) x 3

Night (9pm - 5am) x 1

Q3c: How would you use the reserve?



Sports Facility x 4

Children's play space x 2

Walking for leisure or exercise x 3

Spending time with family and friends x 1

Volunteering (Sports) x 1

Q4: Any further suggestions?



Clean out Anzac Creek x 4

Better Signage x 2

Enlarge Car Parks x 2



Playground Area Littered with Glass (Safety Concern) x 1

Dog Waste Disposal x 1



Consider Useful Vegetation (eg herb garden) x 1

Community Gardens x 1

Street / Public Art Integration x 1

Bike Path Connections x 1

*See appendix for the completed questionnaires which were received as part of the survey process.

Public Consultation (Online)

The draft master plan was displayed to the public online and accessible via the council website from the 2nd February to the 24th February 2019. A total of three surveys were received during the display period, with the overall consensus for the master plan being positive. The surveyed provided the following comments:



Survey 1:

- Prioritise protected spectator seating, parking, public amenities, park area and playground.



Survey 2:

- Excited to see the use of empty lot opposite Ernie Smith Reserve for use as over flow parking for events.
- Wants to see parking for events removed from local streets.



Survey 3:

- Prioritise unobstructed seating around the synthetic football field including seating on the hills around the ground.
- Relocation of security fence which obstructs view of synthetic field from canteen/dressing room area.
- Upgrade of second football field to ensure quality turf pitch.

*See appendix for the completed questionnaires which were received as part of the survey process.

Consultation Summary

Based on the results above, the following items will be prioritised in the final master plan:

- Provision of shade facilities throughout the park to improve user comfort, particularly within the sports club compounds and spectator areas.
- Upgrades of car park facilities to provide formalised and numerous parking bays to alleviate pressure on surrounding streets and reduce vandalism.
- Upgrades to sports facilities to improve overall standard.
- Definition of additional pedestrian routes through the park.
- Addition of lighting to make the park safe for those using it after daylight hours.
- Improved security at boundaries
- Improved signage throughout the park
- Anzac Creek to be beautified

2.0 MASTER PLAN PROPOSALS

ERNIE SMITH RESERVE: MASTER PLAN



2.1 CHARACTER



Artists impression of view looking north alongside
Liverpool Moorebank District Hockey Club

Sports Facilities

Formalisation and rationalisation of sports facilities improving security, creating welcoming congregation spaces and improving the standard of facilities. The park becomes a destination for high level sports and community recreation.



Artists impression of a new play facility
at Ernie Smith Reserve

Ernie Smith Playground

The playground is extended to offering additional amenity and play options including an inclusive playground for mixed ages and public amenities building. Shade becomes a key element in providing comfortable spaces for users.

2.2 CIRCULATION

Aims

- + Improve legibility throughout park
- + Diversify pedestrian network
- + Formalise car park and access arrangements
- + Provide east-west connectivity

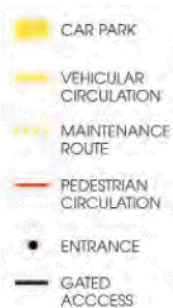
Vehicular

To create a better and more convenient arrival experience, the boom gate at Junction Road entrance is proposed to be pulled back to allow space for a more noticeable gateway entrance. To further increase accessibility, the bridge to Kelso Crescent will be widened to include a two-way traffic, allowing for larger vehicles to pass through. The Junction Road entrance and Kelso Crescent entrance lead to the hockey club and soccer club parking area respectively, while a maintenance route connects the two parking areas. With more obvious gateways and additional parking facilities, connectivity to the site can be improved and users can enjoy more flexibility in parking.

Pedestrian

Similar to vehicular circulation, accessibility and connectivity are also the major concerns in pedestrian circulation improvement. To respond to that, formal paths and stairways are proposed on the eastern embankment to reinforce east-west connections, increasing accessibility and potentially encouraging residents nearby to use the park. Also, new walking trails are proposed adjacent to the bushland area, expanding the pedestrian network to the western part of the site. These routes offer contact with nature not available elsewhere within the reserve.

LEGEND



0 20 50 100 200m





Semi-formal walking trails in the bush area



Improved connections on the eastern embankment



Formalised parking with tree planting



Improvements to primary pedestrian pathways

2.3 PROGRAM

Aims

- + Diversify formal and informal recreation opportunities
- + Upgrade existing facilities
- + Encourage use by wider demographic

Additional programs are proposed to diversify both formal and informal recreational uses in the reserve.

For informal recreation, a new half basketball court is introduced adjacent to the existing playground area. The existing disused skate bowl will be demolished and replaced by new planting and a picnic area, while a second picnic area will be located on the other side of the path amongst existing trees. Seven fitness nodes alongside the shared path, in the south east, providing users an alternative option to train among the formal sports fields nearby.

To improve existing informal recreation facilities, an accessible play area is proposed centrally within the park, adjacent the kick about / warm up area. To encourage use, the main pedestrian cyclist shared path of the reserve is also proposed to be upgraded with additional seating and tree planting along the path.

The skate park in the north in expanded and improved to provide greater diversity and amenity for all ages.

Formal recreation facilities are expanded with the introduction of a junior cricket pitch in the south of the park to diversify and better utilise the fields throughout the year. A new bus drop off area is also introduced to allow space for coach buses to stop and drop off sports fields users and visitors.

LEGEND

-  SKATE AREA
-  PLAY AREA
-  SOCCER FIELD
-  HOCKEY FIELD
-  CRICKET PITCH
-  PEDESTRIAN CYCLIST SHARED PATH
-  WALKING TRAIL



0 20 50 100 200m







2.5 SOCCER ASSOCIATION

Aims

- + Formalise car park area
- + Improve fencing to enhance security level
- + Upgrade field surfaces to synthetic turf
- + Club house amenities expansion

Southern Districts Soccer Football Association is another main stakeholder of the reserve. To better utilise the parking area adjacent to the club amenities, it is proposed to be formalised with line marking, kerbs and drainage to ensure usable throughout the year and prevent circulation issues during busy times.

By upgrading the surface of Field 1 and Field 2 to synthetic turf, there will be more opportunities for the club to host higher standard games. The club facilities building at Field 1 will be upgraded and expanded to include teaching rooms, meeting rooms, changing rooms, public toilets and storage.

For Field 2, lighting will be improved, while concrete seating and shade provision will be introduced.

Fencing around pitch 1 will be replaced with new rebound fencing to enhance security and aesthetic level. Pitch 2 has had new fencing installed recently so will not be upgraded as part of the master plan.

The warm up area will be retained as existing with trees provided around the periphery for shade.

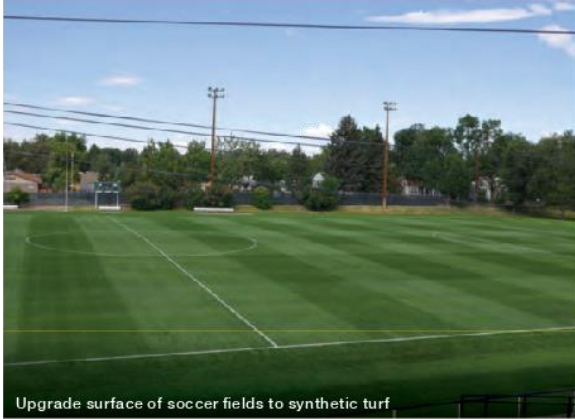
The existing ticket booth will be expanded to provide parking for maintenance and equipment storage.

LEGEND



0 20 50 100 200m





2.6 SIGNAGE & ORIENTATION

Aims

- + Upgrade signage on major entrances
- + Add signage to secondary entrances
- + Relocate and rationalize signage positions
- + Consistency in signage palette
- + Introduce exercise distance markers

Signage is an effective way-finding tool to indicate entry / exit to the park to overcome existing circulation issues. While the Kelso Park signage on Newbridge Road and Ernie Smith Reserve signage on Junction Road are in good condition, other entrances either do not have a sign or have a signage with a different colour and appearance. To improve the signage strategy and for overall consistency, all signages are proposed to share a similar palette and match the colour scheme of that on Newbridge Road and Junction Road.

Primary signage is proposed to be placed at major entrances while secondary signage is proposed to be placed next to entrances on the eastern embankment. Existing signage will be relocated when necessary to rationalize their position and to enhance users' arrival experience. All signages are to be oriented towards the street.

A fun and interactive element to add into the signage strategy will be to introduce jogging distance markers for every 100m along the main pedestrian pathway and walking track. This helps wayfinding and improves walkability of the reserve, encouraging users to jog, exercise and walk on the park's pedestrian-cyclist loop.

LEGEND





Kelso Park signage on Newbridge Road



Wayfinding signage example *



Jogging distance marker along main pedestrian route *



Wayfinding signage examples *

* Colour and font subject to variations

2.7 LIGHTING & SECURITY

Aims

- + Improve and increase lighting in car parks to create a safer environment
- + Lighting along main pathway to promote park use in winter months
- + LUX level to achieve council requirement and Australian Standards

Lighting is an essential element to create a safe environment at night, especially in the two large parking areas of the reserve as they are unfenced and easily prone to vandalism. Formal car park lighting will benefit sports players who practice and play at the fields during night time.

Lamp posts will be installed along the pedestrian and shared routes to illuminate the park during the evening. This will make the park more user-friendly and safe, whilst adding flexibility in winter months.

In terms of lighting specification, LUX level of all lighting are to follow council requirements and Australian standards for public open spaces.

Passive surveillance principle should be enforced in the detail design of all elements, whilst security cameras will be fitted to any new buildings to deter vandalism.

Additional lighting will be provided to the skate park to promote passive security and use throughout the year.

LEGEND

- CAR PARK LIGHTING
- LIGHTING ALONG MAIN PEDESTRIAN ROUTE
- SPORTS FIELD LIGHTING UPGRADE



0 20 50 100 200m





Improved carpark lighting



Flood lights on soccer fields - night time



Skatepark lighting



Shared pathway lighting columns

2.8 THE CREEK

Aims

- + Improve visual access to the creek
- + Introduce passive recreation along creek with walking trails and picnic areas
- + Promote environmental awareness

Anzac Creek runs along the western side of the site and the bushland around it is identified to be environmentally significant. With the proposal of new walking trails along the bushland and occasional picnic areas nearby the creek, visitors can explore this part of the site which is previously difficult to access due to lack of signage and overgrown vegetation.

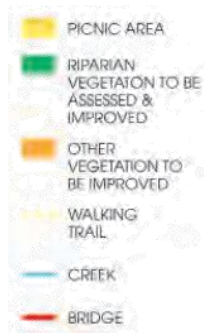
The proposed walking trails will connect to the hockey club and soccer club car parks as well as the Junction Road and Kelso Crescent entrances, creating more access points for visitors. There are also two additional bridge crossings across Anzac Creek in the proposal, both are pedestrian bridges that lead to the car parks.

Along the proposed walking trails, five pockets of picnic areas are introduced to act as resting points as well as opportunities for locating information panels to provide visitors with knowledge about the endangered River Flat Eucalyptus Forest community in the area.

Picnic areas are defined as small sites with cleared vegetation, simple seating and open grass area suitable for relaxing.

The riparian vegetation around the creek itself will be assessed and priority areas identified for clearance of weeds and replanting. Adjacent vegetation quality will be improved to further improve the environment around the creek.

LEGEND





Picnic space next to creek



Decomposed granite bushland pathway



Pedestrian connections across the creek



Habitat in the riparian corridor as indicator of a healthy creek

2.9 VEGETATION

Aims

- + Bush regeneration at riparian corridor to enhance biodiversity and protect endangered community
- + Increase overall canopy coverage and introduce low planting to create shade and microclimate

Environmental restoration works will continue within the riparian corridor to protect the most valuable environmental asset of the site. Within the riparian zone planting will be supplemented to increase overall quality and diversity. The existing Asset Protection Zones (APZs) will be retained and unimpacted.

On the eastern embankment adjacent to the soccer fields, mass tree planting will be carried out among the few existing mature trees. This will provide shade for the soccer club amenities and create a cooler environment at ground level for passive park users. North of the mass tree planting is a new area of grasses to match existing Poa meadow, keeping the distinctive texture of this part of the embankment.

For the rest of the reserve, extended canopy cover and low planting will be introduced to create shade, improve microclimate and develop the aesthetic quality for the park.

LEGEND



0 20 50 100 200m





2.10 SUSTAINABILITY & WATER SENSITIVE URBAN DESIGN

Materials

Materials should all be chosen to minimise environmental impact, for example local materials should be chosen to reduce unnecessary transit impacts. To reduce exported soil, cut and fill should be balanced, and where necessary contouring of landscape areas should be used to absorb excavated material back into the site.

Ecology & Habitat

Fertiliser should be minimised or reduced to sports pitches in order to prevent runoff high on nutrients entering adjacent watercourses. The synthetic pitch upgrades would go some way to achieving this. The creek / riparian corridor and scattered trees offer great opportunities for nesting birds, reptiles and small mammals, habitat will therefore be protected and improved throughout the reserve. Suitable species will be planted along the edge of the watercourse and within the biobasin to cleanse water prior to it progressing down the creek.

Architecture

Architectural improvement will be in line with LEED and Greenstar ratings of 5*, while fixtures and fittings will be chosen to be energy saving, and water will be collected from rooftops for reuse internally where possible.

Engineering - Civil

Subsurface piping will be minimised where possible with open swales and rain gardens provided for slowing and holding stormwater prior to entering the creek in order to reduce peak flows and heavy metal / nutrient reduction within surface runoff.

Lighting & Electrical

LED lighting to be employed throughout the site and selected pathways lit to provide safe through routes. Where feasible lighting will be on timers to prevent excessive light disruption through the night. All detailed lighting design to consider light pollution reduction and spill.

Climate Change

To minimize potential flood risk, creek flood levels are to be considered in the detail design of adjacent roads / pathways. Any valuable assets are to be located above the 1:20 year flood zone through introduction of mounding or plinth to buildings. Moreover, increasing temperatures are counteracted with the planting of trees, while water is stored from building rooftops. In terms of sports field surfaces, consideration should be given to benefits of synthetic turf versus natural turf with regards to water use and escape of fertilisers into nearby water courses. Rain-sustainable drainage synthetic pitches offer durability in all weathers and open up opportunity for use throughout the year with less maintenance.

Stormwater Capture and Reuse

Options for stormwater harvesting will be investigated to capture, treat and re-use water from the local area for irrigation of the sports fields and use within the new buildings, for example, for flushing toilets.



3.0 DELIVERABLES 20 YEAR PLAN

PRIORITY	DESCRIPTION	PROPOSED DELIVERY YEAR	TOTAL ESTIMATE
1	Public Area - Fitness Stations	2019/2020	\$ 191,000.00
2	Public Area - Inclusive Playground - play equipment	2020/2021	\$ 656,000.00
3	Public Area - Inclusive Playground - amenity building	2021/2022	\$ 574,600.00
4	Soccer Club Building - Extension to club house	2022/2023	\$ 3,976,000.00
5	Soccer Club - Synthetic grass upgrade to fields 1 & 2	2023/2024	\$ 2,896,800.00
6	Hockey Club - Demolition and site preparation	2024/2025	\$ 177,600.00
7	Hockey Club Building - Extension to club house	2024/2025	\$ 2,857,500.00
8	Hockey Club - Circulation and carpark	2025/2026	\$ 1,587,500.00
9	Public Area - Bridge upgrade and concrete paths	2026/2027	\$ 1,739,500.00
10	Soccer Club - Asphalt road and carpark	2027/2028	\$ 646,000.00
11	Soccer Club - Floodlight upgrades to fields 1 & 2	2028/2029	\$ 331,000.00
12	Hockey Club - Grandstand shelters, seating, fencing, training fields	2029/2030	\$ 1,359,300.00
13	Public Area - Creek improvements	2030/2031	\$ 671,140.00
14	Public Area - Concrete steps, lighting, park furniture, landscaping	2031/2032	\$ 684,700.00
15	Public Area - Concrete paths connecting car parks	2032/2033	\$ 571,305.00
16	Public Area - Half basketball court	2033/2034	\$ 42,900.00
17	Public Area - Signage and entry statements	2034/2035	\$ 81,905.00
18	Public Area - Pedestrian bridge to overflow carpark	2035/2036	\$ 256,200.00
19	Public Area - Clearance of vegetation and planting of riparian zones	2036/2037	\$ 625,110.00
20	Soccer Club - Grandstand upgrade, shelters, landscaping	2037/2038	\$ 528,700.00
21	Hockey Club - Park furniture, fencing, landscaping	2038/2039	\$ 650,400.00
TOTAL			\$ 21,105,106.00*

* Quantity Surveyors - Wilde and Woollard Pty Ltd provided detailed cost estimates based on the proposed outcomes of the Master Plan

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MINUTES

MINUTES OF LIVERPOOL PEDESTRIAN, ACTIVE TRANSPORT & TRAFFIC COMMITTEE MEETING

17 July 2019

COMMITTEE FORMAL MEMBERS

Councillor Nathan Hagarty	Liverpool City Council (LCC), Acting Chairperson
Sgt Damian Leemon	Liverpool Police
Anushiya Mohandas	Roads and Maritime Services

COMMITTEE TECHNICAL ADVISORS AND INFORMAL MEMBERS:

Charles Wiafe	Service Manager, Traffic & Transport, LCC
Mahavir Arya	Traffic & Transport, LCC
Anupam Saha	Graduate Civil Engineer, LCC
Rachel Palermo	Road Safety Officer, LCC
Toula Athanasiou	Road Safety Officer, LCC
Alexander Helderman	Parking Services Coordinator, LCC
Councillor Peter Harle	LCC
Councillor Karess Rhodes	LCC
Michael Pruss	Interline Bus Services
Hannah Shilling	Transit Systems
Danielle Mort	Liverpool Police
Thilena Somaratne	Roads and Maritime Services

COUNCIL ADMINISTRATIVE SUPPORT:

Rose Koch	Committees Officer, LCC (Minutes)
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APOLOGIES:

Councillor Charishma Kaliyanda	LCC
Tania Davies	MP for Mulgoa
Melanie Gibbons	MP for Holsworthy

ABSENT:

Paul Lynch	MP for Liverpool
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1. WELCOME, ATTENDANCE, APOLOGIES AND OPENING

The Chairperson, Cllr Kaliyanda, sent her apology with advice that she has nominated Cllr Hagarty as the Acting Chairperson for this meeting. Cllr Hagarty opened the meeting at 9:33 am and welcomed all attendees.

Apologies from the Chairperson, Cllr Kaliyanda, and the Local Members for Mulgoa and Holsworthy. Representative of the Member for Liverpool was absent.

2. DECLARATIONS OF INTEREST

Nil

3. CONFIRMATION OF PREVIOUS MINUTES

The Committee was advised that Council at its meeting of 26 June 2019 has adopted all its recommendations from its meeting of 15 May 2019.

4. AGENDA ITEMS

1. Twentieth Avenue, Hoxton Park – Proposed Children's Crossing
2. First Avenue and Twentieth Avenue intersection, Hoxton Park – Proposed Roundabout
3. Kingsbury Road and Peronne Road intersection, Edmondson Park – Proposed Roundabout
4. Manning Street and Warwick Farm, Warwick Farm – Proposed Parking Arrangement
5. Hume Drive, West Hoxton – Proposed Linemarking Scheme
6. Feodore Drive, Cecil Hills – Proposed Traffic Facilities
7. Kurrajong Road and Wingham Road intersection, Carnes Hill – Proposed Threshold on the Kurrajong Road Western Approach
8. Manning Street, Warwick Farm – Heavy Vehicle Movements
9. 1432-1436 Camden Valley Way, Leppington – Proposed Roundabout at Crystal Palace Way and Rainbows Way intersection
10. 146 Newbridge Road, Moorebank – Proposed Linemarking and Signposting Scheme
11. Items Approved Under Delegated Authority

5. GENERAL ITEMS / GENERAL BUSINESS

- GB 1 Bus Services to and from Antegra Estate, Leppington
- GB 2 Hill Road, Lurnea – Proposed Additional Parking Restrictions
- GB 3 Shepherd Street, Liverpool – Proposed On-street Mobility Spaces
- GB 4 Campbell Street, Liverpool – Request for Residential Parking Permit Scheme
- GB 5 Moore Street, Liverpool – Request for Police Only Parking Spaces
- GB 6 Bernera Road and Dalmatia Avenue intersection, Edmondson Park – Traffic signal phasing
- GB 7 Powerhouse Road, Casula – Bus Service
- GB 8 No. 4 Hamilton Avenue, Wattle Grove – Request for paving to improve driveway access
- GB 9 Hoxton Park Road/Ash Road intersection, Prestons – Request for Ash Rd directional sign
- GB10 Wattle Grove shops, Wattle Grove - Footpath
- GB11 Conversion of existing traffic signalised intersection to other intersection treatments
- GB12 Bus shelter awnings obstructing bus movements
- GB13 Jardine Drive, Edmondson Park – Road closure

6. CLOSE

Meeting closed at 11:45am.

ITEM 1	TWENTIETH AVENUE, HOXTON PARK – PROPOSED CHILDREN'S CROSSING
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INTRODUCTION

Council has received representations on behalf of Good Shepherd Catholic Primary School for a crossing facility to be installed across the section of Twentieth Avenue fronting the school.

Traffic surveys indicate that the location does not meet the warrant for a marked pedestrian crossing. As a result, Council is proposing to install a Children's crossing to improve road safety. The design of the Children's crossing, as shown in Attachment 1.1 (in the attachment booklet), has been carried out in accordance with Roads and Maritime Services (RMS) Guidelines.

The Committee is requested to support the installation of the Children's Crossing across Twentieth Avenue.

ASSESSMENT

Good Shepherd Catholic Primary School is located on the southern side of Twentieth Avenue and close to the cul-de-sac end of the street. Twentieth Avenue is approximately 470m long with varying carriageway widths between approximately 7.2m and 9.4m.

The school has been operating without a pedestrian crossing facility due to its location and previous low traffic volumes. However, the increasing traffic volumes (due to subdivisions of rural properties) is resulting in pedestrian/vehicle conflicts in front of the school. Hence, the school community has made representations to Council for a pedestrian crossing facility to be installed.

Council has investigated the request and from traffic counts have identified that the location does not meet the warrant for a marked pedestrian crossing. Therefore, an alternative treatment, in the form of Children's Crossing, has been investigated and designed. The design of the facility has been carried out in accordance with RMS Guidelines and is shown in Attachment 1.1 (in the attachment booklet).

The School Principal has been consulted and has agreed to the requirement to display and remove the children's crossing flags for the school drop off and pick up periods. Adjacent residents have also been consulted and no significant objection has been received to date. The results of the community consultation will be tabled at the meeting.

The Committee is requested to support the installation of a Children's Crossing across Twentieth Avenue as shown in Attachment 1.1 (in the attachment booklet).

RECOMMENDATION

That:

1. The Committee support the installation of a Children's crossing across Twentieth Avenue in front of Good Shepherd Catholic Primary School.

COMMITTEE DISCUSSION

The Committee was advised that Council has received representations for a children's crossing facility across the section of Twentieth Avenue in front of the Good Shepherd Catholic Primary School.

Council has undertaken investigation including traffic counts, which indicate that the location does not meet the RMS warrant for a marked pedestrian crossing. Therefore, as an alternative facility, a Children's crossing has been considered and a concept design prepared for ten-day preliminary community consultation, with the School Principal and the affected residents.

The school supports the proposal. However, two residents have expressed concerns about the proposal including the ten-day community consultation overlaying school holidays, loss of on-street parking with a suggestion for possible relocation of the crossing.

Clr Rhodes remarked that the impact of the children crossing on on-street parking should be addressed and consideration should be given to the provision of on-street parking for special events.

The RMS representative observed that the design does not include warning signs, and should be incorporated. In addition, Council is to consider extending the existing paved footpath to the proposed crossing.

Council Technical Advisors outlined that options to minimise the loss of existing on-street parking including the location of the proposed crossing will be investigated. In addition, extended community consultation for 21 days will be undertaken before the installation of the crossing.

The design will be revised to include warning signs, and the existing paved footpath will be extended to the proposed crossing.

The Committee supported the proposal to install a Children's Crossing, subject to favourable community consultation.

COMMITTEE RECOMMENDATION

That:

1. Council approves the installation of a Children's Crossing facility across Twentieth Avenue in front of Good Shepherd Catholic Primary School subject to the outcome of community consultation and the school providing an undertaking to display/remove the crossing flags.

ITEM 2	FIRST AVENUE AND TWENTIETH AVENUE INTERSECTION, HOXTON PARK - PROPOSED ROUNDABOUT
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INTRODUCTION

Council has received representation on behalf of Good Shepherd Catholic Primary School for the First Avenue and Twentieth Avenue intersection to be treated to reduce traffic conflicts and traffic delays for turning movements out of Twentieth Avenue.

To reduce the delays, Council is proposing a roundabout at the subject intersection. The design of the roundabout, as shown in Attachment 2.1 (in the attachment booklet), has been carried out in accordance with Austroads and Roads and Maritime Services (RMS) Guidelines.

The Committee is requested to support the proposed roundabout as shown in Attachment 2.1 (in the attachment booklet).

ASSESSMENT

The First Avenue/Twentieth Avenue intersection is 'T' intersection with First Avenue as a north-south collector road and Twentieth Avenue as an east-west terminating Local Street.

First Avenue is a collector road providing access to a number of side streets, direct vehicular access to a number of residential properties and Brownes Farm Reserve.

Twentieth Avenue is a "No Through" road currently providing access to two side streets (Murwillumbah Avenue and Nimbin Avenue).

Recent traffic counts indicate that sections of First Avenue and Twentieth Avenue at their intersection are carrying traffic volumes during the morning and afternoon school peak periods as shown in the table below.

Street	Traffic Volume	
	AM Peak	PM Peak
First Avenue	950 veh/hr	820 veh/hr
Twentieth Avenue	600 veh/hr	460 veh/hr

These volumes indicate that First Avenue is carrying an approximate average daily traffic volume of 8,850 vehicles.

The intersection is approximately 205m south of the existing Hoxton Park Road/First Avenue signalised intersection. The RMS crash data for the latest five-year period ending 2018 indicates that there have been no recorded crashes at the intersection.

Traffic volumes along both roads are increasing. For Twentieth Avenue, rural properties opposite the school are proposed to be subdivided soon. With the increasing traffic volumes,

turning movements out of Twentieth Avenue are experiencing significant traffic delays, particularly before and after school.

To reduce the traffic delays, last year, parking restrictions were installed along the Twentieth Avenue approach to the intersection (with First Avenue) to provide single dedicated left and right lanes out of Twentieth Avenue. The parking restrictions have not significantly reduced traffic delays at the intersection.

Accordingly, residents and the school community have been making representations for the intersection to be treated to reduce traffic delays and conflicts. Council has investigated the requests and considers that a roundabout would be a suitable facility to regulate and reduce traffic delays at the intersection.

The roundabout, as shown in Attachment 2.1 (in the attachment booklet), has been designed in accordance with the Austroads and RMS Guidelines. The design indicates that land acquisition is required along the western side of First Avenue (at the intersection) to accommodate the roundabout.

Whilst First Avenue is carrying a higher traffic volume compared to Twentieth Avenue at the intersection, a roundabout with adequate deflections on the First Avenue approaches would provide gaps in the traffic stream to enable efficient turning movements into/out of Twentieth Avenue, and thereby reduce the current extensive delays.

The Committee is requested to support the roundabout as shown in Attachment 2.1.

RECOMMENDATION

That:

1. The Committee supports installation of a roundabout at the intersection of First Avenue and Twentieth Avenue, as shown in Attachment 2.1.

COMMITTEE DISCUSSION

The Committee was advised that Council has received representations from the Good Shepherd Catholic Primary School community and local residents, about traffic congestion and delays at the First Avenue and Twentieth Avenue intersection, during the school peak periods.

Intersection treatments including traffic signals or a roundabout have been analysed. Traffic flow profile at the intersection does not meet the warrant for traffic signals and a roundabout has been selected as the most appropriate treatment.

The Committee discussed and provided the following comments on the design:

- RMS representative – The pedestrian gap in splitter island should be straight, and vehicle turning paths and overhangs should not encroach on pedestrian gaps in the splitter islands

- Local company bus representative – The existing bus stop should be maintained at the existing location
- Others Advisors – impact on existing driveways close to the roundabout should be minimised
- A pedestrian crossing facility on the south side is required to assist pedestrians crossing First Avenue, south of the proposed roundabout.

The Committee discussed and supported the roundabout. Detailed design drawings, incorporating the above comments, are to be forwarded to the RMS and police for their review, prior to installation.

Council is to undertake community consultation to ensure that the impact on existing driveways close to the roundabout is minimised.

COMMITTEE RECOMMENDATION

That:

1. Council approves the installation of a roundabout at the First Avenue and Twentieth Avenue intersection, Hoxton Park.
2. Detailed design drawings, incorporating the Committee's comments, are forwarded to the RMS and police for their review, prior to installation.
3. Council to undertake community consultation to ensure that impacts on existing driveways close to the roundabout is minimised.

ITEM 3**KINGSBURY ROAD AND PERONNE ROAD INTERSECTION, EDMONDSON PARK – PROPOSED ROUNDABOUT****INTRODUCTION**

At its meeting on 23 January 2019, the Committee discussed road crashes at the intersection of Kingsbury Road and Peronne Road. The Committee recommended that priority movements at the intersection be changed to require traffic along Kingsbury Road to give way to traffic along Peronne Road.

In addition, the Committee recommended that after the changes have been implemented that investigation be carried out to determine if other intersection treatments, such as a roundabout, is required.

The intersection is close to an existing shopping village and attracts significant traffic volumes. In addition, when fully completed, Kingsbury Road will be approximately 1km long with one roundabout. This arrangement could encourage speeding.

Council is, therefore, proposing a roundabout at the intersection of Kingsbury Road and Peronne Road to reduce traffic conflicts, reduce speed and thereby improve road safety.

The Committee is requested to support the proposed roundabout as shown in Attachment 3.1 (in the attachment booklet).

ASSESSMENT

Kingsbury Road is an east-west local residential street parallel to Camden Valley Way. Whilst Peronne Road is a north-south residential street off Camden Valley Way, providing access to an existing local shopping village and a portion of the Edmondson Park residential precinct.

When fully completed, Kingsbury Road will be approximately 1km long with one roundabout. Kingsbury Road forms a four-way intersection with Peronne Road with a 'Stop' control for traffic along Kingsbury Road.

The current 'Stop' control was installed following the Committee's support, at its meeting on 23 January 2019, of Council's proposal to change the priority to require traffic along Kingsbury Road to give way to traffic travelling along Peronne Road to cater for increasing traffic flow along Peronne Road and reduce a spate of road crashes in late 2018.

In addition, the Committee recommended that investigation be undertaken to determine if the intersection needs to be upgraded to a roundabout following the change of priority control.

The road layout permits speeding and it is considered that a roundabout would regulate traffic flow, reduce traffic speed and improve road safety at the intersection. Accordingly, Council has prepared a concept plan of single lane mountable roundabout, in accordance with Austroads and Roads and Maritime Services (RMS) Guidelines, including swept path analysis,

as shown in Attachments 3.1 to 3.3. It is noted that the intersection is not part of a regular bus service.

The Committee is requested to support the proposed roundabout at the Kingsbury Road and Peronne Road intersection. Detailed design will be forwarded to the RMS and the NSW Police Force for their review, prior to installation.

RECOMMENDATIONS

That:

1. The Committee supports the installation of a roundabout at the Kingsbury Road and Peronne Road intersection, as shown in Attachment 3.1.
2. Detailed design of the roundabout be forwarded to the RMS and the NSW Police Force for review, prior to installation.

COMMITTEE DISCUSSION

The Committee was advised that as outlined in the agenda, its January 2019 meeting recommendations includes preparation of a concept design of a roundabout at the Kingsbury Road and Peronne Road intersection.

The Committee also noted that since changing the priority movements at the intersection, requiring traffic along Kingsbury Road to give way to traffic along Peronne Road, there have been no additional crashes.

The Committee supported the installation of a roundabout, in future, as part of the development of the vacant land on the north-eastern corner of the intersection. Detailed design drawings ensuring that the roundabout would accommodate bus movements are to be submitted to the RMS and Police for their information, prior to installation.

COMMITTEE RECOMMENDATION

That:

1. Council approves the installation of a roundabout, in future, at the Kingsbury Road and Peronne Road intersection.
2. Council to forward detailed design drawings of the roundabout to the RMS and Police for their information, prior to installation.

ITEM 4	MANNING STREET AND WARWICK STREET, WARWICK FARM – PROPOSED PARKING ARRANGEMENT
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INTRODUCTION

At its meeting on 29 May 2019, Council resolved that parking restrictions on the streets of Warwick Farm near the horse training precinct be investigated including the installation of '4P' parking restrictions or parking permits for residents.

Due to proximity to the Warwick Farm Station, sections of Warwick Street, Manning Street, and National Street are attracting commuter parking.

The Committee is requested to consider '4P' timed restricted parking along the western side of Manning Street, between Munday Street and National Street.

ASSESSMENT

Council's resolution was in response to representations that on-street commuter parking is reducing on-street parking for workers within the horse training precinct and needs to be managed to maintain available on-street parking spaces.

Due to proximity to Warwick Farm Station, sections of the following roads - Warwick Street, Manning Street, and National Street, are attracting on-street commuter parking.

Manning Street has a carriageway width of approximately 12.1m whilst National Street has a carriageway of approximately 8.4m. Manning Street is line marked with centrelines and edge line markings and can accommodate parallel on-street parking on both sides.

Warwick Street does not provide direct vehicular to any of the horse training properties. It accommodates unrestricted parallel on-street parking along both sides. Therefore, existing parking can be maintained.

However, commuter on-street parking along the section of Manning Street, between Munday Street and National Street, reduces available on-street parking spaces.

Timed restricted on-street parking could be considered along a portion of the western side of Manning Street, between Munday Street and National Street. However, the Warwick Farm station is a nominated station and any changes to the available on-street parking requires Transport for NSW (TfNSW) advisory comments. Council will consult the TfNSW prior to the implementation of any changes.

Site investigations have identified that on-street parking is available along Manning Street and National Street, and the concern that may need to be addressed relates to parking close to residential driveways. In this regard, transverse lines can be line marked close to the driveways of Manning Street.

Residential Parking Permit Scheme

Council's resolution also outlined that the need for residential parking permit should be investigated. In accordance with the RMS guidelines for such a scheme, eligible residents are those without off-street parking. All properties along Manning Street have available off-street parking and would therefore not be legible for a residential parking permit scheme.

RECOMMENDATIONS

That:

1. Council consults TfNSW on whether '4P' parking restriction can be implemented along sections of Manning Street and National Street.
2. The Committee supports the installation of driveway transverse linemarking along Manning Street.

COMMITTEE DISCUSSION

The Committee was advised that Council has requested an investigation into the provision of 4P parking in the Warwick Farm equine precinct.

The Committee discussed and agreed that the streets attracting on-street commuter parking includes sections of Warwick Street, Manning Street between Munday Street and Priddle Street, Scrivener Street, and to a lower extent National Street.

The Committee discussed that the current commuter parking along Warwick Street is not affecting on-street parking for the horse trainers/resents and could be maintained.

The Committee noted that as Warwick Farm railway station is a nominated station, changes to the existing unrestricted parking restrictions, to timed parking, require TfNSW approval. This was confirmed by the RMS representative.

The Committee discussed and supported 4P timed parking restriction along the section of Manning Street, between Munday Street and Priddle Street, subject to TfNSW and the affected residents/businesses support.

The Committee also noted that subject to the success of the 4P parking restriction, implementation of a residential parking scheme in the local area, may not be required.

COMMITTEE RECOMMENDATION

That:

1. Council seeks TfNSW support for the implementation of 4P parking restrictions along the section of Manning Street, between Munday Street and Priddle Street.
2. Council undertakes community consultation with residents/business who will be affected by the proposed of 4P parking restrictions along the section of Manning Street, between Munday Street and Priddle Street.
3. Council approves 4P parking restrictions along the section of Manning Street, between Munday Street and Priddle Street, subject to TfNSW support and the outcome of community consultation.

ITEM 5	HUME DRIVE, WEST HOXTON – PROPOSED LINEMARKING SCHEME
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INTRODUCTION

Council has received representations on behalf of Hume Drive residents concerned about parked vehicles at the crest (along the road) affecting sight distances for turning movements out of driveways.

To address this concern, Council is proposing to install double-barrier 'BB' centrelines to restrict parking near the crest. In addition, Council is proposing to install 'BB' lines at the intersections of Hume Drive/Meehan Street and Hume Drive/Harraden Drive to improve road safety.

The Committee is requested to support the proposed linemarking scheme as shown in Attachment 5.1 (in the attachment booklet).

ASSESSMENT

Hume Drive is a local residential street between Harraden Drive and Greenway Drive. It is approximately 230m long and has a carriageway width of approximately 6.4m. The street has the default urban speed limit of 50km/h and provides vehicular access to 32 residential dwellings including a side street (Meehan Street).

The road has a crest at approximately 140m north of Harraden Drive with approximately 7% rising slope towards Meehan Street and 9.7% downward slope towards Harraden Drive.

The Roads and Maritime Services crash database for the five-year period ending September 2018 indicates that there has been no recorded crash. However, site inspections have found vehicles regularly parked on the crest, obstructing sight distances for turning movements out of driveways.

Therefore, to improve sight distances, Council is proposing to install approximately 55m 'BB' line at the crest i.e. in the road section between 110m and 165m from Harraden Drive, as shown in Attachment 5.1, to demarcate opposing traffic movements and improve sight distance over the crest. In addition, to demarcate turning movements at the intersections of Hume Drive/Meehan Street and Hume Drive/Harraden Drive, Council is proposing to install 'BB' lines.

Due to the carriageway width, the 'BB' line markings would prohibit on street parking along the road sections to be linemarked.

The Committee is requested to support the proposed linemarking scheme as shown in Attachment 5.1 (in the attachment booklet).

RECOMMENDATION

That:

1. The Committee support the installation of 'BB' line markings in Hume Drive, as shown in Attachment 5.1.

COMMITTEE DISCUSSION

The Committee supported the proposal as presented and requested that all residents along the street be advised before the implementation of the signs and line marking schemes.

The RMS representative recommended that 'No Stopping' signs or C3 yellow No Stopping lines be installed to prevent motorists parking adjacent to the proposed 'BB' linemarking.

COMMITTEE RECOMMENDATION

That:

1. Council approves the installation of the signs and line marking schemes in Hume Drive, West Hoxton.
2. Council notifies Hume Drive residents of its action, to demarcate traffic movements along the street.

ITEM 6 FEODORE DRIVE, CECIL HILLS – PROPOSED TRAFFIC FACILITIES**INTRODUCTION**

The Committee, at its meeting on 23 January 2019, considered a report on traffic speeding along Feodore Drive and resolved that Council undertakes speed assessment and present the findings at a future meeting.

Speed assessment has since been carried out at two locations and based on the results, the following facilities are proposed:

- a. A speed hump west of Burlina Circuit
- b. A pedestrian refuge north of Tudor Crescent
- c. 'T' intersection treatment at Hanover Street intersection

The Committee is requested to support the traffic facilities as presented.

ASSESSMENT

Feodore Drive is a residential collector road which forms a loop road between two roundabouts at its intersections with Spencer Road/Sandringham Drive to the north, and Spencer Road/Frederick Road to the south.

Feodore Drive is approximately 1.5km long. In addition to the two roundabouts at its northern and southern ends, it has three roundabouts at its intersections with Lancaster Avenue, Clementina Circuit and Stirling Street.

Feodore Drive has a carriageway width of approximately 8m with separation 'S1' linemarking to demarcate opposing traffic movements. It is part of a regular bus service route.

Speed Classification

In response to the Committee's recommendation from its January 2019 meeting, Council has carried out speed classification, in May 2019, at two road sections.

Results from the recent speed classification compared to a previous 2015 are shown below:

Location	Counting Period	Traffic Volume	85 th Percentile Speed	Heavy Vehicle
Adjacent #28	May 2019	3,800 vpd	52.9 km/h	3.5%
Adjacent #62	May 2019	3,440 vpd	56.0 km/h	-
Adjacent #41	May 2015	2,850 vpd	55.0 km/h	4.0%

The table above indicates that there has been approximately 33% increase in traffic volumes over the last four years. The increase is due to traffic flow from the recent Elizabeth Hills development, using Feodore Drive to access Cecil Hills shopping precinct and Elizabeth Drive.

Crash History

The Roads and Maritime Services (RMS) crash database for the five-year period ending September 2018 indicates that there has been nine (9) recorded crashes including seven (7) injury crashes along Feodore Drive. Six (6) of these crashes [four (4) rear-end and two (2) loss-of-control] could be speed-related crashes.

In addition, in December 2018, there was a fatality crash at the Feodore Drive and Burlina Circuit intersection.

Seven of these crashes occurred in the approximately 230m long road section between Clementina Circuit and Spencer Road intersections (adjacent to the Cecil Hills shopping precinct). The remaining two crashes were adjacent to the Burlina Circuit intersection.

Treatment

To reduce the current speed profile, taking into consideration adjoining land uses, the following traffic treatments are proposed:

- a. Raised Threshold approximately 120 metres west of Burlina Circuit. This road section has nature reserves on both sides and is conducive to speeding. In addition, a raised threshold speed at the location will not affect residential amenity.
- b. Pedestrian Refuge north of Tudor Crescent, to provide a safe pedestrian facility to cross Feodore Drive to the adjacent children's play area located in the reserve opposite Tudor Crescent.
- c. 'T' intersection treatment at the intersection with Hanover Street. The intersection is approximately midway between the proposed pedestrian refuge and the existing roundabout at Clementina Circuit intersection. The treatment would reduce speeding at this location.

The existing and proposed traffic facilities are shown in Attachment 6.1 (in attachment booklet).

The Committee is requested to provide in-principle support for the proposed raised threshold, pedestrian refuge and 'T' intersection treatment along Feodore Drive at the locations, as shown Attachment 6.1 (in attachment booklet). Detailed design drawings are to be forwarded to the RMS and NSW Police Force prior to the works being undertaken.

RECOMMENDATIONS

That:

1. The Committee supports installation of the following traffic facilities along Feodore Drive, Cecil Hills.
 - a. Raised Threshold approximately 120m west of Burlina Circuit.
 - b. Pedestrian Refuge north of Tudor Crescent.
 - c. 'T' intersection treatment at Hanover Street intersection
2. Council prepare detailed design of all the proposed facilities and seek concurrence from the RMS and NSW Police Force prior to installation.
3. Council undertakes community consultation prior to undertaking the works.

COMMITTEE DISCUSSION

The A/Chairperson advised the Committee of the local residents' concerns about traffic speed and the need for traffic calming devices to address this speed concern.

The Committee discussed and supported a raised threshold in the midblock section between Sterling Street and Burlina Circuit. Other two locations to be considered are north of Tudor Crescent and south of Battenberg Close.

The Committee discussed and noted that due to the relatively narrow carriageway, the proposed pedestrian refuge cannot be accommodated. In addition, the 'T' intersection treatment will affect bus movements and was not supported.

COMMITTEE RECOMMENDATION

That:

1. Council approves, in-principle, the installation of three raised thresholds across sections of Feodore Drive: in the midblock section between Sterling Street and Burlina Circuit, Cecil Hills
2. Design of the proposed traffic calming devices and the outcome of community consultation be presented to the Committee at a future meeting.

ITEM 7	KURRAJONG ROAD AND WINGHAM ROAD INTERSECTION, CARNES HILL – PROPOSED TRAFFIC CALMING ON THE WESTERN APPROACH
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INTRODUCTION

Council has received representations regarding run-off road crashes at the existing Kurrajong Road and Wingham Road/William Buckley Drive roundabout intersection, Carnes Hill. The run-off road crashes are occurring along the eastbound Kurrajong Road approach. The crashes are due to high exit speed (along Kurrajong Road).

To reduce speed on the approach to and within the roundabout, Council is proposing to install a raised threshold on the eastbound approach to the roundabout in Kurrajong Road. The Committee is requested to discuss and support this proposal as shown in Attachment 7.1 (in the attachment booklet).

ASSESSMENT

Kurrajong Road is a collector road with a sign posted speed limit of 60km/h. This section of Kurrajong Road is a four-lane road and the intersection with Wingham Road/William Buckley Drive is a dual lane roundabout along the Kurrajong Road approaches. An aerial photograph of the intersection is shown below.



The road section was opened to traffic approximately three and a half years ago. Since then, residents at the north-eastern corner of the roundabout intersection have made representations of about five run-off crashes. Three of the run-off crashes have resulted in extensive damage to the noise wall and boundary fencing along House Numbers 81 and 83 Macksville Street.

In response to these crashes, a guard rail was installed and later extended last year. Since then, there has been another crash which has damaged the guard rail. The residents are therefore requesting that Council install a raised threshold on the eastbound approach to the intersection.

Council has obtained evidence of car crashes that occurred along the north-eastern corner of the roundabout in September 2017 and August 2018. Site inspections have identified that the deflection along the Kurrajong Road approach permits relatively high circulating speeds. It is therefore considered that the approach speed needs to be reduced to address the recurring crashes.

To improve road safety, Council is proposing to install a raised threshold across the Kurrajong Road eastbound approach to the roundabout, as shown in Attachment 7.1 (in the attachment booklet).

Similar treatments have been installed at other roundabouts in the Liverpool Local Government Area (LGA) and nearby LGAs. The threshold would be designed to a Watt's Profile as shown in Council's Standard Drawing No. R5.

RECOMMENDATION

That:

1. The Committee supports the installation of a raised threshold across the Kurrajong Road eastbound approach to the roundabout.

COMMITTEE DISCUSSION

The Committee discussed the single-vehicle run-off crashes at the north-eastern corner of the roundabout and supported installation of a raised threshold across the western approach to the roundabout.

Council is to forward a copy of the design of the raised threshold to the RMS and police for their information, prior to installation.

COMMITTEE RECOMMENDATION

That:

1. Council approves the installation of a raised threshold across the western approach to the existing roundabout at the Kurrajong Road/William Buckley Drive/Wingham Road intersection, Carnes Hill.
2. Council forwards a copy of raised threshold design to the RMS and police for their information, prior to installation.

ITEM 8 MANNING STREET, WARWICK FARM – HEAVY VEHICLE MOVEMENTS**INTRODUCTION**

At its meeting on 29 May 2019, Council resolved that heavy vehicle classification should be carried out and investigate options to minimise heavy vehicle movements and improve road safety and amenity for the horse training precinct in Warwick Farm.

Due to industrial development south of the Warwick Farm horse training precinct, the road network from Governor Macquarie Drive through the horse training precinct consisting of Munday Street, Manning Street, Priddle Street and Scrivener Street are designated 25/26m B-double routes.

Horse training stables are located on both sides of Manning Street. Council has received representations that vehicle movement, particularly heavy vehicles, are causing conflicts with the horse movements (at early mornings or late nights). This occurs particularly along Manning Street.

In response to Council's resolution, vehicle classification is being carried out and the results will be tabled at the meeting. The Committee is requested to consider the vehicle classification and discuss short and long-term options to minimise the heavy vehicle movements and reduce the vehicle and horse conflicts.

ASSESSMENT

Council's resolution at its meeting on 29 May 2019 was in response to the horse training precinct community's concern that there has been increased vehicular traffic in the last couple of years along the designated B-Double route through the precinct causing increased conflicts with horse movements.

A vehicle classification undertaken in 2014 confirmed that the B-Double route is carrying an approximate average daily traffic volume of 1450 vehicles. Of this, approximately 23% are heavy vehicles. The corresponding 85th percentile traffic speed is approximately 58.7 km/h along the road which has the default urban speed limit of 50 km/h.

Additional vehicle classification is being carried out and the results will be tabled at the meeting. The Roads and Maritime Services crash data for the five year period ending 2018 indicates that there have been four recorded crashes along the section of Manning Street between Munday Street and Priddle Street. None of these crashes involved vehicle/horse conflict.

However, Council has a long-term solution to minimise the heavy vehicle movements involves the construction of a Manning Street bypass road, off Governor Macquarie Drive, generally along Shore Street to connect to Scrivener Street. Timing for the construction of this bypass road has not yet been determined.

Previously, in response to similar concerns, Council installed pavement markings, including centre lines and edge lines, flashing symbolic Wild Horses warning signs at approaches to the precinct and symbolic 'Wild Horses' warning signs.

Based on the road layout, it appears most of the horses are crossing Manning Street near the laneway south of National Street. This laneway provides access to Bull Street and Stroud Avenue and hence to the racecourse via an underpass across Governor Macquarie Drive.

This section of Manning Street could be highlighted as a desire line for the horses to cross the road. This could involve installing transverse lines and supplementary flashing warning signs (which would be activated by the horse rider) to highlight the crossing area.

RECOMMENDATION

That:

1. The Committee notes the long-term solution of constructing a bypass road to remove the heavy vehicle movements along Munday Street, Manning Street, Priddle Street and Scrivener Street.
2. The Committee supports the installation of transverse lines and supplementary flashing warning signs to highlight the horse crossing area across Manning Street

COMMITTEE DISCUSSION

The Committee was advised that recent traffic counts indicate that Manning Street is carrying approximately 21% heavy vehicles, which is higher than the heavy vehicle traffic composition, along other residential streets in the LGA.

The Committee noted that Manning Street is the only access route to the existing industrial area located south of Manning Street. There is existing night-time access restriction on heavy vehicles using Manning Street. However, heavy vehicles associated with the industrial area will continue to use Manning Street until another access link is constructed to serve the industrial area.

The Committee considered interim options to reduce traffic conflicts along Manning Street including:

- Speed reduction 50km/h to 40km/h. The RMS representative advised that a speed reduction will require RMS approval.
- Additional flashing lights in Manning Street adjacent to the horse crossing location. The location and type of flashing light and signs are to be discussed with the equine trainers (along Manning Street) prior to installation.

COMMITTEE RECOMMENDATION

That:

1. Council approves the installation of additional flashing lights in Manning Street adjacent to the horse crossing location, subject to the outcome of community with horse trainers (along Manning Street), prior to installation.

ITEM 9	1432-1436 CAMDEN VALLEY WAY, LEPPINGTON - PROPOSED ROUNDABOUT AT CRYSTAL PALACE WAY AND RAINBOWS WAY INTERSECTION
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INTRODUCTION

The development consent for the subdivision of 1432-1436 Camden Valley Way, Leppington, specifies a roundabout to be designed and partly constructed at the proposed intersection of Crystal Palace and Rainbows Way.

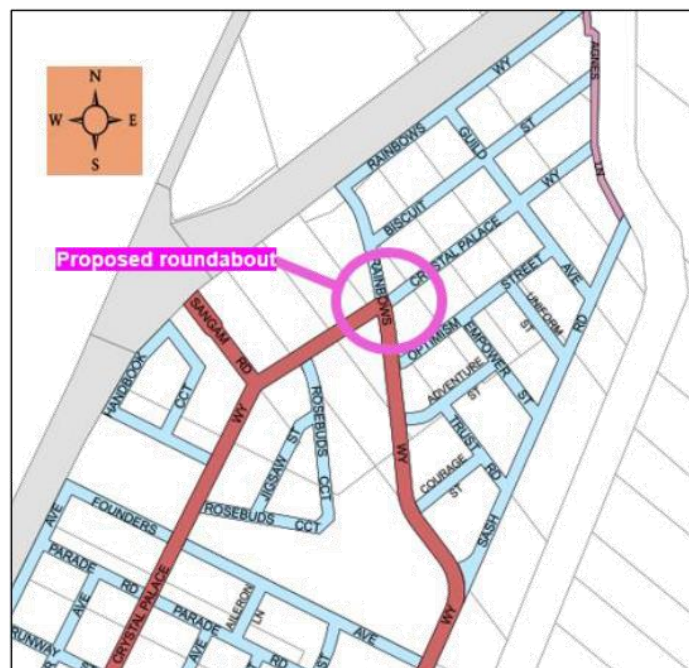
Prior to the issue of a Construction Certificate, the developer has submitted a concept plan of the roundabout which requires the Committee's support.

The Committee is requested to support the proposed roundabout at the intersection of Crystal Palace and Rainbows Way, as shown in Attachment 9.1 (in the attachment booklet).

ASSESSMENT

The development consent condition for the subdivision of 1432-1436 Camden Valley Way, Leppington (legally known as Lots 100 and 105 in DP 1175246) requires the design and part construction of a roundabout at a future four-way intersection of Crystal Palace and Rainbows Way.

An Indicative Layout Plan (ILP) of the precinct is shown in the figure below.



The development site falls within the East Leppington Precinct that is planned to yield some 3,265 dwellings as well as local and neighbourhood centres, a school, community centre and open space areas.

As shown in the ILP above, Crystal Palace Way and Rainbows Way are collector roads. The two roads would form a four-way intersection would be expected to attract significant traffic movements. To regulate traffic movements and reduce traffic conflicts at the intersection, a roundabout is proposed.

A concept design of the roundabout, as shown in Attachment 9.1 (in the attachment booklet), has been prepared in accordance with Austroads and Roads and Maritime Services (RMS) Guidelines. Swept path analysis has been undertaken considering a 12.5m vehicle (single unit truck/bus).

However, the design does not include appropriate provision for pedestrian crossings and street lighting.

The Committee is requested to support the proposed roundabout as presented by incorporating the following modifications:

- Gaps (minimum 2m by 3m) within the proposed splitter islands
- Street lighting to Australian Standards.

Detailed design incorporating the above changes are to be forward to the RMS and the NSW Police Force for review, prior to installation.

RECOMMENDATION

That:

1. The Committee supports the installation of a roundabout at the proposed intersection of Crystal Palace and Rainbows Way, Leppington.

COMMITTEE DISCUSSION

The Committee was advised that development consent for the subdivision of 1432-1436 Camden Valley Way, Leppington, specifies a roundabout to be designed and partly constructed at the proposed intersection of Crystal Palace and Rainbows Way.

The Committee noted that the two roads would form a four-way intersection, and to regulate traffic movements and reduce traffic conflicts at the intersection, a roundabout is an appropriate treatment. Hence, the Committee supported the proposed roundabout.

The RMS representative outlined that the proposed slip lane is to be removed to reduce the interim footprint. The local bus company representative indicated the intersection is likely to be part of a future bus route, and the design is to accommodate the turning paths of buses.

The Committee recommended that detailed design of the roundabout be sent to the RMS and police, prior to installation.

COMMITTEE RECOMMENDATION

That:

1. Council approves the installation of a roundabout at the proposed intersection of Crystal Palace and Rainbows Way.
2. Council to submit detailed design of the roundabout, incorporating the Committee's recommendations, to the RMS and police for their comments, prior to installation.

ITEM 10	146 NEWBRIDGE ROAD, MOOREBANK – PROPOSED LINEMARKING AND SIGNPOSTING SCHEME
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INTRODUCTION

The developer of Georges Cove Marina at 146 Newbridge Road, Moorebank (legally known as Lot 7 in DP 1065574) has submitted a signs and linemarking scheme of a planned access road off Brickmakers Drive.

The Committee is requested to support the proposed signs and linemarking scheme as shown in Attachment 10.1 (in the attachment booklet).

ASSESSMENT

The proposed development of 146 Newbridge Road (Georges Cove Marina) will result in a daily average traffic movement of approximately 1300 vehicles. The development's only vehicular access is off Brickmakers Drive.

Access to Georges Cove Marina will be from the existing signalised intersection of Newbridge Road and Brickmakers Drive and via a proposed elevated road bridge which will connect to a road that connects to Brickmakers Drive, forming a 'T' intersection.

The new intersection off Brickmakers Drive will be approximately 300m south of Newbridge Road. This intersection would also provide access to other future developments in the south-eastern corner of Newbridge Road and Brickmakers Drive.

Traffic assessment carried out to date indicates that, in future, the intersection would meet the warrant for traffic signals and would need to be signalised to permit safe and efficient turning movements into and out of the development's access road.

The interim 'T' intersection will be a priority control intersection which would have dedicated right and left turn lanes out of the proposed access road, as well as dedicated left and right turn lanes along Brickmakers Drive.

The Committee is requested to support the interim channelised intersection treatment as shown in Attachment 10.1 (in the attachment booklet).

In addition, the developer of Georges Cove Marina will seek RMS' in-principal approval for the intersection to be signalised in order to accommodate the future traffic volumes.

RECOMMENDATION

That:

1. The Committee supports the proposed signs and linemarking scheme for an access road off Brickmakers Drive, as shown in Attachment 10.1.

COMMITTEE DISCUSSION

The Committee was advised that the proposed linemarking and signposting scheme at the intersection of Brickmakers Drive and the proposed east-west access road, to provide access to the development precinct east of Brickmakers Drive (including the marina and other urban developments) is an interim intersection treatment.

This intersection will be upgraded to traffic signals in future when it meets the RMS traffic signals warrant. As part of the interim intersection layout, the developer is to seek RMS in-principle approval of the traffic signals and include required conduits in the layout.

The Committee discussed and supported the signs and linemarking scheme as an interim treatment until it is upgraded to traffic signals in future.

COMMITTEE RECOMMENDATION

That:

1. Council approves the linemarking and signposting scheme at the Brickmakers Drive and the new road providing access to the development precinct east of Brickmakers Drive (including the marina) as an interim intersection treatment.

ITEM 11 ITEMS APPROVED UNDER DELEGATED AUTHORITY**INTRODUCTION**

This item provides a summary of minor traffic facilities that have been approved under the Liverpool Pedestrian, Active Transport and Traffic Committee Delegated Authority by the RMS and Police representatives over the last two months period, between 9 May 2019 and 12 July 2019.

Delegated Authority No.	Location	Description of Proposal
2019.021	Airfield Drive, Len Waters Estate	Installation of 'Bus Zone' restrictions
2019.025	Yarran Court, Wattle Grove	Installation of 'No Stopping' restrictions
2019.026	35 Castlereagh Street, Liverpool	Installation of 'Works Zone' restrictions
2019.027	Croatia Avenue, Edmondson Park	Installation of speed humps
2019.028	Kurrajong Road, Prestons	Installation of median island
2019.029	Tenth Avenue, Austral	Installation of 'No Stopping' restriction

RECOMMENDATION

That:

1. The Committee notes the above Delegated Authority applications approved by the NSW Police Force and RMS representatives over the last two months period, between 9 May 2019 and 12 July 2019.

COMMITTEE DISCUSSION

The Committee discussed and supported the six minor traffic facilities including signs and lines marking schemes, approved under delegated authority by the RMS and police.

COMMITTEE RECOMMENDATION

That:

1. Council notes the six minor traffic facilities including signs and lines marking schemes; approved under delegated authority by the RMS and police.

GENERAL BUSINESS ITEMS

Item	Name Location / Issue	Remark
1	Bus Services to and from Antegra Estate, Leppington	<p>The Interline Bus Services representative advised that they are in discussion with TfNSW on bus service requirements and arrangement to provide a convenient service to the Antegra Estate, Leppington.</p> <p>Council will be advised of the outcome of the discussion and of the adopted bus route and service.</p>
2	Hill Road, Lurnea – Sign Posting of existing Bus Zone	Council is to replace the missing Bus Zone signs and to investigate additional supplementary measures including pavement marking and bollards to restrict.
3	Shepherd Street, Liverpool – Request for on-street mobility spaces	Council will forward a delegation approval request to the RMS and Police to approve two on-street mobility parking spaces along the eastern side of Shepherd Street, in front of the Paper Mill development.
4	Campbell Street, Liverpool – Request for residential parking permit scheme	<p>Council's current Parking Permit Policy, based on a previous RMS Policy, indicates that residents who have off-street parking are not eligible for residential parking permits.</p> <p>The RMS Policy has recently been revised and eligibility criteria for residential parking permits now includes residents who have off-street parking.</p> <p>Council's Parking Permit Policy will be revised and presented to the Committee at a future meeting for its comments.</p>
5	Moore Street, Liverpool – Police request for Police Only parking spaces in front of No. 29 Moore Street.	<p>The road section is currently a Bus Zone used by Transdev NSW buses.</p> <p>Council is to consult Transdev NSW and assess whether the existing Bus Zone can be shortened to accommodate the required restricted parking spaces.</p> <p>Subject to Transdev NSW's response, Council is to seek RMS and Police approval, under</p>

		delegation, for the installation of 'No Parking, Police Vehicles Excepted' restrictions.
6	Bernera Road and Dalmatia Avenue intersection, Edmondson Park – Traffic signal phasing	The Interline Bus Services representative advised that the signal phasing at the intersection is causing long delays along Dalmatia Avenue and the RMS was requested to review signal phasing to the reduce delays.
7	Powerhouse Road, Casula – Request for bus service to Casula Powerhouse and Art Centre (CPAC)	Council to discuss with Coronation timing for its implementation of the shuttle bus services as specified its development consents and VPA.
8	No. 4 Hamilton Avenue, Wattle Grove – Request for paving to improve driveway access	Council is to advise the resident of the timing for the paving to improve turning movements into/out of the driveway.
9	Hoxton Park Road and Ash Road intersection, Prestons – Street signage	Council to review and liaise with the RMS for the directional street signs be installed at the Hoxton Park Road/Ash Road intersection.
10	Wattle Grove shops, Wattle Grove - Footpath	Council is to investigate foot paving along northern side, of Village Way, east of the existing marked pedestrian crossing.
11	Converting existing traffic signals to other forms of intersection treatments	Council is to review and, if required, present proposals to Committee for consideration at a future meeting.
12	Bus shelter awnings are obstructing bus movements	Council is to liaise with the local bus companies to identify problematic bus shelters and undertake remedial measures.
13	Jardine Drive, Edmondson Park – Road closure	Council is to follow with the contractor installing a roundabout at Jardine Drive and Poziers Road (under construction) intersection and ensure that the existing road closures are removed before the school reopens after winter break.