

**MINUTES OF THE RESOURCES & SERVICES COMMITTEE
MEETING HELD 11 MARCH, 2002, CIVIC CENTRE, OXLEY STREET
CAMDEN**

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11 MARCH, 2002**

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Present: Cr Winn (Deputy Mayor/Chairman), Cr Anderson, Cr Patterson, Cr Campbell, Cr Corrigan, Cr Batros, Cr Fekete, Cr McFadden, Cr Senise

Staff: General Manager, Director Governance & Outcomes, Director Development & Environment, Director Works & Services, Manager Development, Manager Outcomes, Senior Governance Officer

1. Investment Monies: Period ended 31st January, 2002

(Director Governance & Outcomes)

In accordance with clause 19 (3a & 3b) of the Local Government (Financial Management) Regulation 1993, a list of investments held by Council as at 31st January, 2002, is provided as **Tabled Document "RS 1"**.

It is further certified that all investments have been made in accordance with section 625 of the Local Government Act 1993, the relevant regulations and Council's investments policy.

Current investments of the General Fund both term and call are returning an average daily yield of 4.40% and during the month of January, 2002, the average return on all investments both call and term was 4.39%.

Recommended: That

- i) Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations and Council's Investment Policy.
- ii) The list of investments as at 31st January, 2001 be noted.
- iii) The interest rate return of 4.39% for the month of January, 2002, be noted.

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Resolved on the Motion of Cr Anderson, seconded Cr McFadden that

- i) Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations and Council's Investment Policy.*
- ii) The list of investments as at 31st January, 2001 be noted.*
- iii) The interest rate return of 4.39% for the month of January, 2002, be noted.*

*RS007/02 THE MOTION WAS **CARRIED**.*

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2. Local Government Elections – Party Registration and method of voting

(2811/8)(Director Governance & Outcomes)

The State Electoral Office has advised of changes to the Electoral provisions of the Local Government Act, 1993 relating to registration of parties, the grouping of candidates and method of voting at Council elections. The Electoral Office has requested that the information be brought to the attention of Councils and other interested parties.

The new provisions relating to the registration of parties come into effect on 1st June, 2002. The remaining changes dealing with grouping of candidates and method of voting will apply to the next elections to be held in September, 2003.

A summary of the changes form **Tabled Document “RS 2”** for the information of Councillors.

Recommended: That the information be noted.

Resolved on the Motion of Cr Batros, seconded Cr Fekete that the information be noted.

RS008/02 THE MOTION WAS **CARRIED**.

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**3. Delegation of Authority – Deeds of Indemnity -
Easements**

(474/11)(Director Governance and Outcomes)

From time to time, requests are received from landowners or developers for Council consent to the construction of a structure over an existing easement on their property, usually a carport, garden shed or driveway.

The normal method of dealing with such a request has been to require the preparation of a Deed of Indemnity by the applicant indemnifying Council against any possible claims or costs, etc using a standard set of conditions, including a requirement that future owners to be bound by the Deed. These requests are then submitted to Council for approval and signature. This procedure amounts to a “positive covenant” on the land.

As a result of discussions with Council’s Solicitors regarding these procedures, it was pointed out that a Deed of Indemnity is not required as the provisions of Section 88F of the Conveyancing, 1919 adequately protect Council’s interests.

The alternative procedure suggested is require the completion of a “Positive Covenant Real Property” form prescribed under Section 88 of the Conveyancing Act, setting out the full terms and conditions of the restriction. The terms and conditions would be the same as those contained in a Deed of Indemnity.

The Positive Covenant, once the terms are agreed to and complete is signed by the General Manager and registered with the Land Titles Office. On registration of the Positive Covenant on the title, the terms are absolutely binding on successors in title. If the registered proprietor does not adhere to the positive covenant and Council incurs costs as a result a charge may be created over the land for the amount of the costs. Once the charge comes into existence, Council has the powers of a mortgagee in respect of enforcement of the charge.

It is recommended the General Manager be granted delegated authority to sign the Positive Covenant form, setting out the full requirements after liaising with the applicant. By initiating these procedures, the process will be considerably streamlined for both Council and the applicant.

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Recommended: That

- (i) Council adopt as procedure the requirement for a Positive Covenant to be registered over the title of land in circumstances as outlined in the Report, subject to the terms and conditions fully indemnifying Council and;*
- (ii) The General Manager be granted Delegated Authority to sign the terms and conditions relating to the Positive Covenant.*

Resolved on the Motion of Cr Batros, seconded Cr Patterson that

- (i) Council adopt as procedure the requirement for a Positive Covenant to be registered over the title of land in circumstances as outlined in the Report, subject to the terms and conditions fully indemnifying Council and;*
- (ii) The General Manager be granted Delegated Authority to sign the terms and conditions relating to the Positive Covenant.*

RS009/02 THE MOTION WAS **CARRIED**.

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4. Christmas 2001/2002 Bushfires

(File 584) (Director Works and Services)

During the 2001-2002 Christmas/New Year period, New South Wales experienced 22 days of the worst bushfire emergency in recent history.

RFS Involvement In Bushfire

The volunteers and salaried staff of the NSW Rural Fire Service – Camden District, worked tirelessly during this period to provide fire protection to the community both in Camden and the following areas:

Wollondilly	Wingecarribee
Campbelltown	Hawkesbury
Liverpool	Baulkam Hills/Hornsby
Penrith/Blacktown/Fairfield	Shoalhaven
Blue Mountains	Peak Hill

The operations performed by our personnel included firefighting and property protection, backburning, hazard reduction, aviation support, operations support, communications, administration support, catering, reconnaissance/intelligence gathering, incident management and community education.

One hundred and six (106) personnel participated during the emergency, most forfeiting their Christmas and New Year with their families and friends. Their overall commitment totalled approximately 9,600 hours exclusive of local firefighting activities.

The commitment and dedication displayed by the volunteers of this area cannot be overstated. Their efforts contributed to no lives being lost and property losses being kept to a minimum in the worst affected areas.

The support of the Camden Council in the form of equipment and administrative services must also be acknowledged. Key management personnel from council ensured that all necessary departments were contactable during this period. Additionally, depot managers and personnel contributed greatly to ensuring the maintenance of an optimum state of readiness for the district RFS brigades.

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SES Incident Involvement

Over the past five months the SES has had involvement everyday in a range of emerging activities (storms, bushfires and wind incidents) in both out of area and local incident management.

Camden SES had the involvement of all thirty officers (a minimum of 6 officers each day) over the Christmas/New Year bushfire period, totalling 2,500 hours. The unit's involvement centred around Wollondilly in evacuations at Warragamba, Silverdale, Lakesland, Oakdale and Hilltop.

Recommended: That

- (i) The efforts of the volunteers and staff of the NSW Rural Fire Service – Camden District and the volunteers of Camden SES be noted.
- (ii) The role of Council staff in supporting these firefighting efforts be recognised.

Resolved on the Motion of Cr Batros, seconded Cr Patterson that

- (i) *The efforts of the volunteers and staff of the NSW Rural Fire Service – Camden District and the volunteers of Camden SES be noted.*
- (ii) *The role of Council staff in supporting these firefighting efforts be recognised.*

RS010/02 THE MOTION WAS **CARRIED**.

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5. Pedestrian Access Mobility Steering Committee

(File 4496) (Director Works and Services)

As previously advised, Council has taken up the RTA funding initiative, to equally fund a Pedestrian Access Mobility Plan (PAMP) across the Local Government Area.

PAMP is a study of pedestrian needs for all the community.

The PAMP study is proposed to be completed by June 2002.

As part of the study process a steering committee is to be established consisting of:

Director Works and Services
Manager Engineering
Traffic Engineer
Community Services Officer
Accessibility Manager
Police
RTA
2 Community Representatives

Expressions of Interest are currently being sent from the community for representation on this committee.

It is appropriate that an elected representative be a member of this committee and therefore part of the review process. It is suggested the Chairman of the Local Traffic Committee would be an appropriate member of this committee.

Recommended: That Councillor membership of the PAMP steering committee be determined

Resolved on the Motion of Cr Batros, seconded Cr Patterson, that the Chairperson of the Local Traffic Committee, Cr Fekete be appointed as a member of the PAMP steering committee.

RS011/02 *THE MOTION WAS **CARRIED**.*

The Meeting closed at 6.30pm.