

## District Council of Kimba: Section 90 Minutes

Date of Meeting	Resolution Number	Release Date	Minute
14 <sup>th</sup> July, 2004	139.2004 140.2004	14 <sup>th</sup> July, 2005	<p><u>Native Title Claim in the Upper Spencer Gulf and Eyre Peninsula Areas</u> That Council after consideration of the correspondence received from Mr Ian McSporran of proceedings of the “Native Title Update Meeting” held at Whyalla on the 3<sup>rd</sup> June 2004, made the following motions “held in camera”.</p> <p>139.2004                      That Council continues to support Ian McSporran in the role of co-ordinator of the group. <span style="float: right;">D.M. Hamlyn/J.B. Schaefer CARRIED</span></p> <p>140.2004                      That Council agrees to:</p> <ul style="list-style-type: none"> <li>▪ Contributing a further \$1,100 (including GST) towards the trust fund as part of Council’s 2004-2005 Budget.</li> <li>▪ The current trustees of the fund continue in their role.</li> <li>▪ Costs associated with representing the District Council of Ceduna and having the Council joined in the native Title Claims covering the Council area, be met from the Trust Fund.</li> </ul> <p style="text-align: right;">D.M. Hamlyn/J.B. Schaefer CARRIED</p>
22 <sup>nd</sup> March, 2005	F.D.A.G. 3.2005	14 <sup>th</sup> April, 2006	<p>The Chairman thanked members for attending and outlined the reason for the meeting, which was to discuss the report submitted by Keith Usher from Optimum Consulting, entitled “A Review of Working Relationships between Employees in Construction and Maintenance Operations”.</p> <p>Members then discussed the reports submitted by: (1) Optimum Consulting (<i>A Review of Working Relationships between Employees in Construction and Maintenance Operations</i>); and (2) the Deputy Chief Executive Officer (<i>Response to Optimum Consulting Report</i>). Members then discussed these reports with particular attention to their strategic and operational relevancy.</p>

			<p>Particular areas of discussion centred on the varying causes of dissatisfaction and low morale and commitment throughout the works environment and its affect on the operational efficiency and effectiveness of Council operations.</p> <p>All members believed employee satisfaction was an important element of Council operations and that all reasonable attempts to address this concern should be pursued. Whilst, the majority of members believed the structure should remain, given its direct alignment to Council’s strategic and operational objectives, there needed to be a further review of the roles and responsibilities of the managers and their level of competency to fulfill those positions. It was also thought that the problem primarily stems from the poor communication and relationships that have developed between a number of workers, which needs to be overcome.</p> <p>3.2005            That the reports submitted by Optimum Consulting and the Deputy Chief Executive Officer be received.</p> <p style="text-align: right;">D.J. Schmidt/D.N. Johnson CARRIED</p>
13 <sup>th</sup> April, 2005	55.2005 56.2005 57.2005	13 <sup>th</sup> April, 2006	<p><u>Native Title</u></p> <p>Council received a request from Rosemary Craddock that the Native Title issue be discussed in confidence and to confirm the following resolutions outlined in the Minutes of a meeting held in Whyalla on 28<sup>th</sup> February 2005.</p> <ol style="list-style-type: none"> <li>1. Rosemary Craddock advise the Local Government Association in writing on behalf of Northern, Upper Spencer Gulf and Eyre Peninsula Councils of the concerns as outlined today relating to the Draft ILUA Template, and in particular to the potential significant cost implications for Councils and the transfer of financial responsibility for Native Title issues by the State to Local Government.</li> <li>2. Request from the Local Government Association a response on how these concerns are to be addressed for the benefit of Councils affected by Native Title Claims.</li> <li>3. A copy of the submission to the Local Government Association be forwarded</li> </ol>

			<p>to all Councils involved in “this group”.</p> <p>55.2005 That Council continues to support Ian McSparran in the role of co-ordinator of the group.</p> <p style="text-align: right;">D.M. Hamlyn/J.B. Schaefer CARRIED</p> <p><u>Sampson Street Sub-Division</u> The Deputy Chief Executive Officer explained to members that they needed to set a reserve price for the 4 allotment in the Sampson Street Sub-Division to be auctioned at 2.00 pm on Friday 15<sup>th</sup> April 2005.</p> <p>56.2005 That Council set a reserve price of \$16,500 (GST inclusive) for the four (4) allotments sold at auction. And</p> <p>57.2005 That the average price of the allotments sold at auction be the reserve price for the remaining allotments to be sold.</p>
10 <sup>th</sup> August, 2005	137.2005	10 <sup>th</sup> August, 2007	137.2005 Council agrees to increase the Chief Executive Officer’s remuneration package by up to \$5,000, with the type of benefit to be negotiated between the Chief Executive Officer and Chairperson. Until the benefit can be negotiated between the Chairman and Chief Executive Officer, Council resolved to increase the Chief Executive Officer’s subsidised rental accommodation from 30% to 100%, effective Wednesday 10 <sup>th</sup> August 2005.
12 <sup>th</sup> July, 2006	143-2006 144-2006 145-2006	12 <sup>th</sup> July, 2007	<p>143.2006 That Section 90, Hundred of Solomon be placed on the market through Real Estate Agent, Landmark at Kimba and to be disposed of in the method recommended by the Agent providing the land returns a net amount of \$50,000 or above after all fees, charges and taxes are deducted.</p> <p style="text-align: right;">Cr J B Schaefer/Cr C I Haskett Carried</p> <p>144.2006 That Council ratifies the CEO’s decision to offer Brian Coote a termination package equal to 13 weeks’ pay following his resignation.</p>

				Cr C I Haskett/Cr J B Schaefer Carried
			145.2006	That the Ordinary Meeting resumes.  Cr D M Hamlyn/Cr J B Schaefer Carried
11 <sup>th</sup> November, 2009	208.2009	8 <sup>th</sup> September 2011	208.2009	That authority is delegated to the Chief Executive Officer to: <ul style="list-style-type: none"> <li>a) Finalise the draft Better Development Plan and General Development Plan Amendment, making minor amendments as required to the satisfaction of the Department of Planning and Local Government;</li> <li>b) Request the Minister to place the DPA on interim operation at the time the consultation commences;</li> <li>c) Review and endorse the Statement of Investigations;</li> <li>d) Certify that the document is appropriate to be released for the agency and public consultation in accordance with the requirements of the Development Act 1993 and Development Regulations 2008;</li> <li>e) Release the Better Development Plans and General Development Plan Amendment for agency and public consultation;</li> <li>f) Make the DPA available for a period of not less than two months and in the following locations: <ul style="list-style-type: none"> <li>• Council Offices;</li> <li>• Department of Planning and Local Government Office; and</li> <li>• Council website;</li> </ul> </li> <li>g) A public hearing (if required) being held on the date of the next scheduled Council meeting, but not less than two weeks, following the close of the consultation period; and</li> <li>h) Appoint the whole of Council to hear and consider submissions</li> </ul> <p style="text-align: right;">Cr D N Johnson/Cr D D McDonald CARRIED</p>
14 <sup>th</sup> December, 2011	228.2011	15 <sup>th</sup> December 2012	228.2011	That: <ul style="list-style-type: none"> <li>1) Council lodge an Expression of Interest through a third party to purchase Lot 5, Ferry Street, for an amount of \$250,000.</li> </ul>

			<p>and if successful, That the funds for purchase be taken from the future infrastructure fund reserve.</p> <p style="text-align: right;">Cr K B Mathews/Cr S K Beinke CARRIED</p> <p>2) That pursuant to the provisions of Section 91 (9) of the Local Government Act 1999 that the matter including any minutes and discussion remain confidential until 15/12/2012 with the Chief Executive Officer being empowered to remove this order prior to the said date provided that the issue has been resolved.</p> <p style="text-align: right;">Cr D N Johnson/Cr G J Baldock CARRIED</p> <p>3) That pursuant to Section 90 (2) of the Local Government Act 1999 that Council resumes that part of the meeting to the attendance of the public.</p> <p style="text-align: right;">Cr K B Mathews/Cr B S Cant CARRIED</p>
9 <sup>th</sup> August, 2006	161.2006	August 2016	<p>161.2006</p> <p>That the Kimba Community Hotel-Motel Ltd. be advised that following legal advice, Council is not in a position to obtain or underwrite a loan on their behalf.</p> <p style="text-align: right;">Cr D N Johnson/Cr D M Hamlyn CARRIED</p>