16 January 2024

Contact for Apologies: Katie Common
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Dear Member

NOTICE OF MEETING

Notice is hereby given pursuant to Section **83(1)** of the *Local Government Act 1999*, as amended that a meeting for the **Ordinary Council** has been called for:-

DATE: **22 JANUARY 2024**

TIME: **5:30pm**

PLACE: **Council Chambers, 1 Bay Road, Victor Harbor**

Please find enclosed a copy of the agenda for the meeting.

Yours faithfully



Victoria MacKirdy
CHIEF EXECUTIVE OFFICER

Please be advised that filming, photography, audio recording and live streaming may take place at this meeting when the public and media are not lawfully excluded under Section 90 of the Local Government Act 1999.

Councillors are reminded of the requirements of disclosure by Members of material or general conflict of interest in items listed for consideration on the agenda.

Section 74, 75, 75A, 75B and 75C of the *Local Government Act 1999* requires that Councillors declare any interest and provide full and accurate details of the relevant interest to the Council prior to consideration of that item on the agenda.

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1. PRESENT

2. ACKNOWLEDGEMENT OF COUNTRY, DIVERSITY COMMITMENT, SERVICE ACKNOWLEDGEMENT AND PRAYER

Acknowledge of Country
The City of Victor Harbor acknowledges the Ramindjeri and Ngarrindjeri people, the Traditional Custodians of the land and surrounding waters where we live and work. We acknowledge their deep connection to Country and pay our respects to Elders past, present and emerging. This respect is extended to Aboriginal and Torres Strait Islander people across Australia.

Diversity Commitment
The City of Victor is committed to diversity, equity, and inclusion. We respect people of all ages, abilities, genders, sexualities, religions, and beliefs, cultures, and backgrounds.

Service Acknowledgement
We recognise the brave individuals who have served, and continue to serve, our nation. We remember those who have lost their lives and paid the ultimate sacrifice to our country.

Prayer
Almighty God, we ask you to bless this council and allow it to be an agent of change to the people of this City and beyond. Direct and prosper its deliberations to the honouring of Your name and the welfare of the people whom it serves. Amen

3. APOLOGIES AND LEAVE OF ABSENCE

4. ITEMS ADJOURNED AND/OR LYING ON THE TABLE

Nil

5. MINUTES OF THE PREVIOUS MEETING

5.1 Minutes of the Previous Meeting - 11 December 2023

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Katie Common
File Reference	GOV9.24.001

RECOMMENDATION

That the minutes of the Ordinary meeting of Council held 11 December 2023 are confirmed as true and accurate.

INFORMATION

Purpose
The purpose of this report is to confirm the Minutes of the previous meeting in accordance with Council's *Code of Practice for Meeting Procedures Regulation 8(1)*.

Information
The minutes of the Ordinary Meeting of Council held 11 December 2023 have been distributed to Council Members.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – Preparation and reporting for the endorsement of the minutes can be managed through routine activities and have a negligible impact. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 – We are a financially sustainable and well–governed organisation

Other references used:

- Code of Practice for Meeting Procedures
  Regulation 8(1) – Minutes

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications from preparation of this report or endorsement of the minutes.

No additional funds are required.

CONSULTATION

Council Members

Chief Executive Officer – Victoria MacKirdy

6. DEPUTATIONS

6.1 Victor Harbor Tennis Club and Victor Harbor Netball Club - Court Upgrades

6.2 Ruth Gates - Bush Chapel Proposal

6.3 Samantha Middleton - SA Ambulance Service Station – Alternate Site

7. QUESTIONS FROM THE GALLERY

Nil

8. PETITIONS

Nil

9. OFFICE OF CHIEF EXECUTIVE OFFICER

9.1 Outstanding Resolutions - January 2024

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Katie Common
File Reference	GOV9.24.007

RECOMMENDATION

That Council receive and note the Outstanding Resolutions - January 2024 report.

INFORMATION

Purpose
The purpose of this report is to provide Council with an up to date listing of the outstanding resolutions of Council as at the time of the Agenda preparation.

Background
A register of resolutions for the term of Council is maintained and a report included in each Ordinary Council meeting.

The register is presented as an attachment to the report and shows items completed since the last Council meeting and outstanding resolutions that still require action.

Commentary
The Outstanding Resolutions Register provided at Attachment A details items still to be actioned and those completed since the Ordinary Council meeting held Monday, 11 December 2023

Summary action comments are provided for each item to advise Council of progress to date.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – Preparation and reporting for the endorsement of the Outstanding Resolutions Report can be managed through routine activities and have a negligible impact. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 – We are a financially sustainable and well–governed organisation

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications from the preparation or receipt of the Outstanding Resolutions report.

No additional funds are required.

CONSULTATION

Chief Executive Officer – Victoria MacKirdy

Relevant Staff

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	**MEETING DATE**	**SUBJECT**	**RECOMMENDATION**	**OFFICER**	**DEPARTMENT**	**FOLLOW UP ACTION**
COMPLETED RESOLUTIONS						
OC4062023	27/11/2023	Renaming of Kent Reserve to Muwerang	That Council endorse the renaming of Kent Reserve to Muwerang/Kent Reserve and that in accordance with Section 219(4) of the Local Government Act 1999 that notification is undertaken with the effective date of the change being the date of this resolution.	Jodi Roberts	ENGINEERING AND INFRASTRUCTURE	COMPLETE - JANUARY 2024
OC4082023	27/11/2023	Naming of Road - Seascape Rise	That Council approve the naming of an unnamed road to Seascape Rise Waitpinga as part of the Civecon Land Division in accordance with Section 219(1) of the Local Government Act 1999 and that notification is undertaken with the effective date of the change being the date of this resolution.	Jodi Roberts	ENGINEERING AND INFRASTRUCTURE	COMPLETE - JANUARY 2024
OC4632023	11/12/2023	Road Naming - Tuck Court	That Council endorse the naming of a new unnamed road as part of the SA Ambulance Station development off Adelaide Road to Tuck Court Victor Harbor in accordance with Section 219(1) of the Local Government Act 1999. Further that notification is undertaken with the effective date of the change being the date of this resolution.	Jodi Roberts	ENGINEERING AND INFRASTRUCTURE	COMPLETE - JANUARY 2024
OC4652023	11/12/2023	Fleurieu Regional Waste Authority Financial Performance Report and First Budget Review 2023/24	That Council endorse the Fleurieu Regional Waste Authority Financial Performance Report and First Budget Review 2023/24.	CHELSIE BUTLER	ENVIRONMENT AND INFRASTRUCTURE	COMPLETE - January 2024 Fleurieu Regional Waste Authority Executive Officer advised of resolution
OC3722023	23/10/2023	Draft Urban Stormwater Management Plan - Public Consultation	That Council proceed to stage 2 of public consultation on the draft Urban Stormwater Management Plan in line with the Community Engagement Plan commencing 31 October 2023 and concluding 21 November 2023.	Jodi Roberts	ENGINEERING AND INFRASTRUCTURE	COMPLETE - January 2024 Report to Council included in this agenda
OC3782023	23/10/2023	Motion without Notice - Workshop with SouthCoast Television - Cr Angela Schiller	That the CEO holds a workshop with Council Members and SouthCoast Television to discuss the request for exemption to the Code of Practice for Meeting Procedures and the recording of Council Meetings in a closed session.	Victoria MacKirdy	OFFICE OF THE CEO	COMPLETE - January 2024 Briefing Session completed on Tuesday, 16 January 2024.
OC3792023	23/10/2023	Motion without Notice - Responsible Person for Council Member Behavioural Management Policy	That following consultation with the CEO, the Manger of HR, or another suitable staff person be made a Responsible Person for the purpose of the Elected Members Behavioural Complaint Management Policy	Victoria MacKirdy	OFFICE OF THE CEO	COMPLETE - January 2024 Briefing Session completed on Tuesday, 16 January 2024.
OC4302023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council receive and note the Community Engagement Application of By-laws Summary Report as provided at Attachment A.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4312023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 resolve that no locations have been identified for the application of Clause 4.9 of By-law 3 Roads; and note that this decision retains status quo.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	MEETING DATE	SUBJECT	RECOMMENDATION	OFFICER	DEPARTMENT	FOLLOW UP ACTION
OC4322023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 11 - Application of By-law 4 Local Government Land resolve that: clause 4.6.1.3 shall apply to all waters on local government land; and clause 4.8 shall apply to all waters on local government land (fishing is permitted); and clause 4.10.2 shall apply to all waters on local government land (for a motorised craft only); and clause 4.10.3 shall apply to all waters on local government land (for non-motorised craft only); and clause 4.10.4 shall apply to all waters on local government land; and clause 4.20 shall apply to the waters of Encounter Lakes and Franklin Island Lake subject to the following conditions: not within 25 metres of the inlet or outlet structure of Encounter Lakes; and not within 10 metres of the bridge over the Franklin Island Lake; and not within 10 metres of Encounter Lakes pump station (35 Bartel Boulevard Encounter Bay); and clause 4.25.2 shall apply to all local government land; and clause 5.8.1 shall apply to any building or part of any building on local government land; and clause 5.9 shall apply to all waters on local government land (except for dive and scuba dive); and note that this decision retains status quo with the exception of clause 5.8.1.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4332023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 11 Application of By-law 4 Local Government Land resolve that no locations have been identified for the application of Clauses 4.10.1 4.22 4.26 4.28.2 4.28.3 4.37 5.5.1 (except in the area of Encounter Lakes and Franklin Island Lake where catch and release fishing is allowed) and 5.8.2; and note that this decision retains status quo.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4342023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 11 Application of By-law 4 Local Government Land resolve that: Clause 4.24.2 no location has been identified; and Clause 4.35 shall apply to all local government land (subject to the Road Traffic Act 1961)	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4352023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 8 Application of By-law 5 Dogs resolve that no location has been identified for a dog free area at Clause 4.1; and note that this decision retains status quo.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4362023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 8 Application of Clause of By-law 5 Dogs resolve the following areas are Dog on-leash areas 24/7 for the purposes of Clause 5.1: Soldiers Memorial Reserve Soldiers Memorial Garden Warland Reserve Along the foreshore areas adjacent to Encounter Lakes and Franklin Island Lakes: John Simmons Park Corner of Central Drive and Clifton Way CM Thorpe Park Corner Mathew Flinders Drive and Bartel Boulevard John Crompton Reserve Corner Tabernacle and Nicholas Baudin Drive Petrel Cove; and note that this decision retains status quo.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	MEETING DATE	SUBJECT	RECOMMENDATION	OFFICER	DEPARTMENT	FOLLOW UP ACTION
OC4372023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 8 Application of By-law 5 Dogs resolve the following as new Dog on-leash areas 24/7 for the purposes of Clause 5.1: Hindmarsh River Estuary Sand Dunes Inman River Estuary Sand Dunes Wright Island	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4382023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 8 Application of By-law 5 Dogs resolve the following as new Dog on-leash areas 24/7 for the purposes of Clause 5.1: Hindmarsh River Estuary Inman River Estuary Wright Island	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4392023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 8 Application of By-law Dogs resolve that the foreshore area between the Bluff and Chiton Rocks will have the following Dog leashing requirements (excluding Hindmarsh River Inman River Estuaries and Wright Island) for the purposes of Clause 5.1: Daylight Savings (October to March) Dogs must be on-leash between 10am and 6pm during daylight savings; and Dogs may be off-leash (must be under effective control) between 6pm and 10am during daylight saving (October to March) Non-Daylight Savings (April to September) Dogs may be off-leash (must be under effective control) during non-daylight saving; and	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4402023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 8 Application of By-law Dogs resolve that the foreshore area between the Bluff and Chiton Rocks will have the following Dog leashing requirements (excluding Hindmarsh River Inman River Estuaries and Wright Island) for the purposes of Clause 5.1: Daylight Savings (October to March) Dogs must be on-leash between 10am and 8pm during daylight savings; and Dogs may be off-leash (must be under effective control) between 8pm and 10am during daylight saving (October to March) Non-Daylight Savings (April to September) Dogs may be off-leash (must be under effective control) during non-daylight saving; and note that this decision retains status quo.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4412023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 and Clause 8 Application of By-law 5 Dogs resolve that the Victor Harbor Dog Park located at the corner of George Main Road and Oval Park Road Victor Harbor is a Dog Exercise Area for the purposes of Clause 6.1; and note that this decision retains status quo.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4422023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council: pursuant to Section 246 (3)(e) of the Local Government Act 1999 and Clause 10 Application of By-law 7 Foreshore resolve no locations have been identified for the purpose of Clauses 5.1 and 5.8; and note that this decision retains status quo.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4432023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council authorises the application of the by-laws as resolved and pursuant to the power contained in Section 246(3)(e) of the Local Government Act 1999 to take effect from 12 December 2023.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024 Resolved By-Laws uploaded to website.
OC4442023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council in accordance with Section 249(4a) of the Local Government Act 1999 place a notice of the determination of the application of the by-laws in the South Australian Government Gazette and a local newspaper circulating in the area of the Council.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024 Published 21 December 2023 in South Australian Government Gazette and 21 December 2023 Fleurieu Sun Newspaper

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	**MEETING DATE**	**SUBJECT**	**RECOMMENDATION**	**OFFICER**	**DEPARTMENT**	**FOLLOW UP ACTION**
OC4462023	11/12/2023	Advisory and Working Group Review	That Council receive and note the Advisory and Working Review Report as provided at Attachment A.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024
OC4452023	11/12/2023	Application of By-laws for Dogs On-leash Off-leash and Activities on Local Government Land - Community Engagement Summary	That Council delegates to the Chief Executive Officer (or delegate) under Part 2 and 3 of By-law 1 Permits and Penalties: to grant permission to a person who seeks permission to undertake an activity under Council by-laws that is otherwise prohibited under a Council by-law and that the authorisation is recorded in Councils Delegations Register; and to vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission or to suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.	KYLA WALKER	GOVERNANCE AND FINANCE	COMPLETE - January 2024 Authorisation published 21 December 2023 in South Australian Government Gazette and 21 December 2023 Fleurieu Sun Newspaper
OC4022023	27/11/2023	South Coast Regional University Study Hub - Victor Harbor	That Council supports the Rural City of Murray Bridge in lodging a grant application in the Federal Governments Regional University Study Hub (Cohort 4) funding round for the South Coast Regional Study Hub under an umbrella model to be located at the Victor Harbor TAFE Campus. That Council subject to a successful funding application authorise the Chief Executive Officer to enter into a Deed of Agreement with The Rural City of Murray Bridge to activate the partnership and delivery of the South Coast Regional University Study Hub in Victor Harbor.	Victoria MacKirdy	OFFICE OF THE CEO	COMPLETE - January 2024 Letter sent to Murray Bridge 29/11 with Council Resoltuion to accompany the funding application.
OC4622023	11/12/2023	Coastal PhD Enterprise Scholarship Program	That Council provides in-principle support to establish a partnership with Flinders University commencing in 2023/24 to establish a three-and-a-half-year Coastal PhD Enterprise Scholarship Program; and That Council endorses a pre-budget commitment of $3500 in 2024/25 to contribute to the Scholarship program plus $7000 per year for three years (2024/25 2025/26 and 2026/27) to support equipment maintenance and field expenses associated with the Scholarship subject to receipt of grant funding from the Coast Protection Board.	Bronson Symmonds	ENVIRONMENT	COMPLETE - January 2024
OUTSTANDING RESOLUTIONS						
OC382020	28/01/2020	Encounter Bay Recreation Ground Pedestrian Access	That administration staff liaise with the club representatives at the Encounter Bay Recreation Ground Investigator College staff and staff at the Victor Harbor High School to determine the need and best route for a shared path connection between these sites.	JODI ROBERTS	PROPERTY ENVIRONMENT AND RECREATION	A pedestrian crossing was installed on Armstrong Road to improve safe egress between the sites, and there is an existing footpath between the sites along George Main Road. Further deliberations about the construction of a shared path will occur in due course, as part of the Precinct detailed design. A meeting was held with Investigator College staff on 7 August 2023. The College advised that they are undertaking planning within their site and that they will submit a request to Council for connecting paths once they have completed their internal planning. January 2024 update - the College have not yet provided their submission.

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	MEETING DATE	SUBJECT	RECOMMENDATION	OFFICER	DEPARTMENT	FOLLOW UP ACTION
OC4252020	24/08/2020	Request to Rename Kent Reserve to Muwerang	That the Administration consult with the Ngarrindjeri Aboriginal Corporation and Council's Heritage Advisory Group to determine whether they support: a name change for Kent Reserve to Muwerang; dual naming of this Reserve; and the inclusion of an option for dual naming of public places in Council's Road and Public Place Naming Policy.	JODI ROBERTS	INFRASTRUCTURE	The renaming of Kent Reserve was endorsed by Council at the November meeting. Inclusion of dual naming for places will be included in the review of the Council's Road and Public Place Naming Policy scheduled for a Council Member Briefing in March 2024.
OC4262020	24/08/2020	Request to Rename Kent Reserve to Muwerang	That following consultation with the Ngarrindjeri Aboriginal Corporation and Council's Heritage Advisory Group the Administration review the Road and Public Place Naming Policy and hold a workshop with the City Activation and Strategic Planning Advisory Committee to consider consultation feedback and recommended Policy changes to Council.	JODI ROBERTS	INFRASTRUCTURE	Council Member Briefing Session is scheduled to be held in March 2024.
OC4272020	24/08/2020	Request to Rename Kent Reserve to Muwerang	That a further report be provided to Council to consider changes recommended by the City Activation and Strategic Planning Advisory Committee to the Road and Public Place Naming Policy and to make a decision regarding the name of the public place currently known as Kent Reserve.	JODI ROBERTS	INFRASTRUCTURE	A report will be presented to Council following the Council Member Briefing Session - estimate report to March 2024 Ordinary Council Meeting, following the Council Member Briefing Session.
OC5962021	13/12/2021	Proposed Road Closure - Unmade Road Reserve - Hindmarsh Valley National Park	That subject to a successful application to close the unmade road Council approves a waiver from the Disposal of Land and other Assets Policy and agrees to transfer ownership of the subject land to the Minister for Environment and Water for a nil consideration subject to the inclusion of the land into the adjoining National Park.	MICHELLE GRIFFITHS	PROPERTY ENVIRONMENT AND	Follow up from Department requested but not response received - The Department of Environment and Water (DEW) has received Ministerial approval to proceed with lodging the documents to the Lands Title Office. We have been advised that there is a backlog of work with the DEW conveyancer. We await advice from DEW.
OC222023	23/01/2023	Motion on Notice - Community Garden Land - Cr Marilyn Henderson	That Council identify suitable parcels of Council-owned land on which to establish Community Gardens. That Council considers a budget allocation for the establishment of a Community Garden in the 2023/24 budget.	GRAHAM PATHUIS	COMMUNITY AND DEVELOPMENT	The idea of utilising the Encounter Centre community garden was workshopped with Council Members on 3 October 2023. Members of the Victor Harbor Community Garden group have visited the Encounter Centre and are supportive of that as a location. Plans for a seperate, independant community garden is still under investigation and awaiting progression with other projects such as 44 Adelaide Road and the precinct.

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	MEETING DATE	SUBJECT	RECOMMENDATION	OFFICER	DEPARTMENT	FOLLOW UP ACTION
OC542023	27/03/2023	Newland-Port Elliot Uniting Church - Live Arts at Newland	That Council receive and note the Live Arts at Newland 2022 Operation of the Program Report as provided by the Newland-Port Elliot Uniting Church. That Council authorise the Chief Executive Officer to negotiate a Memorandum of Agreement renewal that aligns with the purpose and functionality of the previous agreement with the Newland-Port Elliot Uniting Church with respect to the Live Arts at Newland program for a period of two years and the final MOA be presented back to Council for endorsement.	GRAHAM PATHUIS	COMMUNITY AND DEVELOPMENT	Newland-Port Elliot Uniting Church has been advised of Council's resolutions. A further meeting took place in 18 October 2023 where staff discussed possible opportunities for funding and collaboration. A MOU is being drafted and anticipated to be provided to Newland for their consideration early in the new year.
OC1242023	24/04/2023	Review - Light Fleet and Heavy Vehicles Changeover Replacement Policy	That the item be adjourned until a feasibility report is prepared on the cost comparisons of leasing light fleet plants and heavy machinery	Mark Threadgold	GOVERNANCE AND FINANCE	Scope and request for quote completed. Project awarded with expected completion by 22 January 2024. Report to be presented to an Ordinary Council Meeting in early 2024 (likely February).
OC1292023	24/04/2023	2023 Rock 'N' Roll Festival - pre-budget approval and transition planning	1. That Council approves a pre-budget commitment of $20000 operating expenditure offset by $5000 of income in the Annual Business Plan and Budget to support the 2023 Victor Harbor Rock 'N Roll Festival as outlined in the report. 2. That following the 2023 Victor Harbor Rock 'N' Roll Festival Council: i. proceed with transitioning the event to an independently operated management model and; ii. call for expressions of interest from suitably skilled and qualified individuals businesses and organisations to operate the festival on behalf of Council and; iii. expressions of interest applications are presented to Council for a decision following a preliminary assessment.	Stacey Richardson	PLANNING AND ACTIVATION	A report is included in this agenda for consideration by Council
OC1312023	24/04/2023	Victor Harbor Markets - Licence and Agreement Renewals	That Council endorse: A two year extension to the licence agreement that supports the Victor Harbor Farmers Market operating on Grosvenor Gardens; and A per market charge of $200 be applied to the licence agreement; and The Mayor and the Chief Executive Officer to be authorised to sign and seal the documents relating to the agreement. That Council endorse: A two year extension to the Management Service Agreement with Rojina McDonald for the management and operation of the Victor Harbor Artisan Market on behalf of Council; and A per market charge of $200 be applied to the Management Service Agreement; and That the Chief Executive Office be authorised to sign the documents relating to the agreement. That Council endorse: A two year extension to the licence agreement that supports the Beachside Markets operating on Soldiers Memorial Reserve; and A per market charge of $300 be applied to the licence agreement; and The Chief Executive Officer to be authorised to sign the documents relating to the agreement. 4. That administration develop a Market Policy and Guidelines for the soliciting and management of markets held within the City of Victor Harbor for consideration by Council prior to 30 June 2024.	MARK PRZIBILLA	PLANNING AND ACTIVATION	Market operators have been advised of Council's decision to extend licences by a further two years, with licence agreements currently being administered. The resolution remains as it is anticapted a workshop will be held with Council Members early in 2024 to identify the key elements of a market policy relating to the soliciting and management of Markets in Victor Harbor.
OC3322023	25/09/2023	Gifting of Land - Lot B Range Road Waitpinga	That Council accept the gifting of the land identified as Lot B Range Road Waitpinga Certificate of Title 5665/93 from the former Willow Creek Progress Association with the Chief Executive Officer and the Mayor authorised to finalise the land transfer. That Council endorse an increase of $6500 to the 2023/24 capital budget to cover legal cost associated with the land transfer. That Council endorse an increase of $2000 to the 2023/24 operating budget for the remediation of the land.	MICHELLE GRIFFITHS	PROPERTY AND ASSETS	The Willow Creek Progress Association has been corresponding with Council's conveyancers to complete the necessary documents to proceed with the Deed of Gift and transfer documentation.

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	**MEETING DATE**	**SUBJECT**	**RECOMMENDATION**	**OFFICER**	**DEPARTMENT**	**FOLLOW UP ACTION**
OC4072023	27/11/2023	Road Misalignment - Waitpinga Road	That Council undertakes a road closing process under the Roads (Opening and Closing) Act 1991 to address the misalignment of Waitpinga Road affecting private allotment 16 and 17 of Deposited Plan 131037 subject to and inclusive of: The owner of Allotment 16 and 17 of Deposited Plan 131037 accepting and signing the Agreement for Transfer of the Land document for the amount of $9420 (ex GST). That Council meet the cost of the road closing process under the Roads (Opening and Closing) Act 1991. If there are no objections received from the Public Notification period and subject to Ministerial approval of the road closure that the Council sells the land for $9420 (ex gst) to the owner of allotment 16 and 17 Waitpinga Road deposited Plan 131037 and that the Mayor and Chief Executive Officer be authorised to sign the Road Process Order on behalf of Council.	MICHELLE GRIFFITHS	PROPERTY AND ASSETS	The property owner and the surveyor have been notified of Council's decision to proceed with the road closure and subsequent sale of the land. The surveyor has commence the road closure process.
OC4132023	27/11/2023	Motion on Notice - Adelaide Road Signalised Pedestrian Crossing - Cr Angela Schiller	That Council requests that DIT install a Signalised Pedestrian Crossing as a priority to enable safe pedestrian access across Adelaide Road in the Coles Bunnings and Aldi Retail and service precinct. That Administration share the residents concerns with SA Health for consideration of a signalised pedestrian crossing be included as part of the new Ambulance Station on Adelaide Road.	Jodi Roberts	ENGINEERING AND INFRASTRUCTURE	Administration has contacted DIT and provided information in relation to the request for a signalised pedestrian crossing. DIT is considering the request and will come back to CVH. Likewise, Administration has discussed the matter with SA Health, and they are similarly considering the matter before providing a response to CVH. A Council Member Update will be provided in due course.
OC4472023	11/12/2023	Advisory and Working Group Review	That Council: retains the Agribusiness Working Group; and reviews the Terms of Reference for presentation to an Ordinary Council meeting; and appoints Cr Carol Schofield as the Council Member representative and concluding at the periodic elections in November 2026; and extends the membership term of the following members commencing on 12 December 2023 and concluding at the Ordinary Council meeting in June 2024: Primary Production Beryl Price Primary Production Gino Pacitti Primary Production Ike Ashby Primary Production Brenton Lush Primary Production Sandy Knott Primary Production Rob Mulhern Added Value Primary Production Derek Walter	KYLA WALKER	GOVERNANCE AND FINANCE	Working Group Members advised of membership extension. Terms of Reference review commenced. Reviewed Terms of Reference will be workshopped with Members at a Briefing Session in the first quarter of 2024.
OC4482023	11/12/2023	Advisory and Working Group Review	That Council: retains the Arts and Culture Advisory Group; and reviews the Terms of Reference for presentation to an Ordinary Council meeting; and appoints Cr Marilyn Henderson to the position of Chairperson and appoints Mayor Moira Jenkins to the position of Council Member Representative commencing on 13 December 2023 and concluding at the periodic elections in November 2026; and extends the membership term of the following members commencing 12 December 2023 and concluding at the Ordinary Council meeting in June 2024: Community Member - Margaret Worth Community Member - Julie Kelly Community Member - Zoe Crichton Community Member - Jan Foreman Community Member - John Crompton Community Member - Maria Ellers Community Member Gina Allain	KYLA WALKER	GOVERNANCE AND FINANCE	Advisory Group Members advised of membership extension. Terms of Reference review commenced. Reviewed Terms of Reference will be workshopped with Members at a Briefing Session in the first quarter of 2024.

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	MEETING DATE	SUBJECT	RECOMMENDATION	OFFICER	DEPARTMENT	FOLLOW UP ACTION
OC4502023	11/12/2023	Advisory and Working Group Review	That Council: retains the Boating Facilities Working Group; and reviews the Terms of Reference for presentation to an Ordinary Council meeting; and appoints Cr Stewart Burns as the Chairperson and appoints Cr Carlos Quaremba as the Council Representative commencing on 13 December 2023 and concluding at the periodic elections in November 2026; and extends the membership term of the following members commencing 12 December 2023 and concluding at the Ordinary Council Meeting in June 2024; Community Representative - Brian Hockney Community Representative - Michael Veenstra Community Representative - Rodney Ness Victor Harbor Sea Rescue - Graeme Bedggood Victor Harbor Yacht Club - Tim Telfer	KYLA WALKER	GOVERNANCE AND FINANCE	Working Group Members advised of membership extension. Terms of Reference review commenced. Reviewed Terms of Reference will be workshopped with Members at a Briefing Session in the first quarter of 2024.
OC4512023	11/12/2023	Advisory and Working Group Review	That Council: retains the Heritage Advisory Group; and reviews the Terms of Reference for presentation to an Ordinary Council meeting; and appoints Cr Stewart Burns to the position of Chairperson and appoints Cr Carlos Quaremba to the position of Council Member Representative commencing on 13 December 2023 and concluding at the periodic elections in November 2026; and extends the membership term of the following members commencing 12 December 2023 and concluding at the Ordinary Council Meeting in June 2024; National Trust (Victor Harbor Branch) - Pat Uphill Community Representative - Tracey Treloar Community Representative - Anne Wygood Community Representative - John Crompton	KYLA WALKER	GOVERNANCE AND FINANCE	Advisory Group Members advised of membership extension. Terms of Reference review commenced. Reviewed Terms of Reference will be workshopped with Members at a Briefing Session in the first quarter of 2024.
OC4522023	11/12/2023	Advisory and Working Group Review	That Council: retains the Victor Harbor Oval Planning Group; and reviews the Terms of Reference for presentation to an Ordinary Council meeting; and appoints Cr Carol Schofield as the Chairperson and appoints Cr Stewart Burns as the Council Member Representative commencing on 13 December 2023 and concluding at the periodic elections in November 2026; and notes the membership of the Victor Harbor Oval Planning Group remains unchanged.	KYLA WALKER	GOVERNANCE AND FINANCE	Terms of Reference review commenced. Reviewed Terms of Reference will be workshopped with Members at a Briefing Session in the first quarter of 2024.
OC4532023	11/12/2023	Advisory and Working Group Review	That Council dissolve the following Advisory and Working Groups: Encounter Bay Future Recreation and Sport Working Group Recreation and Sport Grant Working Group Renewable Energy Advisory Group Youth Advisory Group	KYLA WALKER	GOVERNANCE AND FINANCE	Process of dissolving the Encounter Bay Future Recreation and Sport Working Group Recreation and Sport Grant Working Group Renewable Energy Advisory Group Youth Advisory Group has commenced.
OC4542023	11/12/2023	Advisory and Working Group Review	That Council establish a Recreation and Sport Grant panel consisting of Cr David Kemp Cr Michael Quinton and two Council staff (as determined by the Chief Executive Officer) to assess the Recreation and Sport Grant applications commencing on 13 December 2023 and concluding at the periodic elections in 2026.	KYLA WALKER	GOVERNANCE AND FINANCE	Terms of Reference for the newly established Recreation and Sport Grant panel are currently in development. The draft Terms of Reference will be presented to Council at a future Council meeting for endorsement.
OC4552023	11/12/2023	Advisory and Working Group Review	That Council: liaise with the regular users of the Encounter Bay Recreation complex to determine the interest in establishing a new Advisory Group; and work collectively to develop a draft Terms of Reference for Council consideration.	KYLA WALKER	GOVERNANCE AND FINANCE	Project Officer has commenced communications with the regular users of the Encounter Bay Recreation complex.
OC4562023	11/12/2023	Advisory and Working Group Review	That Council as part of the upcoming introduction of the Sector-wide Community Engagement Charter and subsequent requirement to review its Community Engagement Policy and Framework consider implementing a modern less formal engagement approach to achieve better participation from a broader cross-section of the community.	KYLA WALKER	GOVERNANCE AND FINANCE	This will be considered when the sector-wide Community Engagement Reforms are rolled out as a part of the *Statutes Amendment (Local Government Review) Act 2021*. The reforms will see the introduction of a State-wide Charter that all councils will be required align to. Once the Minister for Local Government has developed and released the Charter, work will commence reviewing Council's engagement approach to ensure alignment.

RESOLUTIONS - JANUARY 2024						
MINUTE NUMBER	**MEETING DATE**	**SUBJECT**	**RECOMMENDATION**	**OFFICER**	**DEPARTMENT**	**FOLLOW UP ACTION**
OC4572023	11/12/2023	2023 - 2027 Victor Harbor Investment Attraction Strategy - Adoption	That the item be **adjourned** until a subsequent Council meeting to enable Council Members to have further input into the strategy. That Council: i. receives and notes the key themes received from the Community consultation as provided at Attachment A; and ii. adopts the 2023-2027 Victor Harbor Investment Attraction Strategy as provided at Attachment B.	MARK PRZIBILLA	CITY ACTIVATION	A workshop is scheduled for Wednesday, 31 January 2024 to enable Council Members to have further input into the strategy.
OC4582023	11/12/2023	Arts and Culture Centre - Stage 1 Detailed Design and Construction Documentation	That Council adopt the Detailed Design and Construction documentation for Stage 1 of the Arts and Culture Centre project as provided under separate cover for the purposes of finalising the current development application; and that authorisation be granted to the Chief Executive Officer to make minor amendments if/where necessary in order to address matters that may arise as part of the development process.	Louise Hampel	CITY ACTIVATION	Further action pending outcome of adjoured motions under adjourment resolution numbers OC4592023 and OC4602023
OC4592023	11/12/2023	Arts and Culture Centre - Stage 1 Detailed Design and Construction Documentation	That the motion be **adjourned** until the February Council meeting to allow for a workshop to be held with Council Members. MOTION: That Council bring forward the allocation for Stage 1 of the Arts and Culture Centre redevelopment within the Long Term Financial Plan to the 24/25 financial year.	Louise Hampel	CITY ACTIVATION	A workshop is tentatively scheduled for 19 February 2023. This relies on receiving quote associated adjournment resolution number OC4602023.
OC4602023	11/12/2023	Arts and Culture Centre - Stage 1 Detailed Design and Construction Documentation	That the motion be **adjourned** until there are costings for the external stairwell for the upstairs cinema. MOTION: That Council bring forward $120,000 of the capital budget allocated in the Long Term Financial Plan and Asset Management Plan Capital Works Program for Fire Egress Safety Provisions in 2024/25 to the 2023/24 capital budget, and allocate an additional $30,000 to the 2023/24 operating budget to address the fire safety and electrical compliance matters at the Victa Cinema, Town Hall and Coral Street Art Space.	Louise Hampel	CITY ACTIVATION	Staff met with a contractor on site in December and is awaiting a quote for an external stairwell.

9.2 Council Submission - Local Government Participation and Elections Review

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Michelle James
File Reference	GR10.20.001

RECOMMENDATION

That Council authorise the Chief Executive Officer to submit feedback to the Local Government Association of SA in relation to the Local Government Participation and Elections Review as provided under separate cover.

INFORMATION

Purpose
The purpose of this report is to provide Council with an opportunity to make a submission to the Local Government Association of SA in relation to the State Government's Local Government Participation and Election Review.

Background
On Wednesday, 25 October 2023 the Minister for Local Government launched the Local Government Participation and Elections Review (Participation Review).

The statewide consultation gives all South Australians the chance to provide feedback on how communities can better engage with their councils during a council term and, particularly, during election time.

The review and consultation focuses on four key topics:
- Ways to better engage and participate with councils
- Ways to encourage a greater number of more diverse candidates for election to councils
- Ways to increase voter turnout
- Ways to ensure that council elections are run efficiently, with the highest level of integrity.

The State Government prepared a Discussion Paper to support the consultation. The Discussion Paper is provided at Attachment A.

The State Government's consultation aims to inform reform proposals and the development of a bill to amend Local Government legislation.

Commentary
On 17 November 2023 Council received correspondence from the Local Government Association of South Australia (LGA of SA) advising that it will be making a submission to

the Participation Review. All councils were invited to provide feedback to inform the submission by 5pm on Friday, 2 February 2024.

The LGA of SA developed a template consultation paper to help guide Council's feedback so it addresses the range of questions posed throughout the State Government Discussion Paper that relate to the four key topics mentioned above.

Council's Submission
Following feedback from Council Members and Council Staff involved in Council Elections and Engagement, a submission has been formulated for Council's consideration and endorsement. A copy of the submission is provided under separate cover due to size.

While it is deemed appropriate for the City of Victor Harbor to provide feedback as an organisation to inform the LGA of SA submission, Council Members, Staff or the wider community may wish to contribute to the consultation by making their own individual submission to the State Government via www.yoursay.sa.gov.au before the consultation close on 1 March 2024.

Following the close of the consultation period, it is expected that the State Government will publish consultation outcomes in May 2024 via its yourSAy website.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – It is appropriate for Council to provide feedback in relation to the Local Government Participation and Elections Review, and to make a submission to the Local Government Association who will coordinate a response on behalf of the sector. Council members have been provided with an opportunity to provide feedback to inform the Council's submission and also have an opportunity to make a submission to the SA Government directly as an individual. This risk has been assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 – We are a financially sustainable and well-governed organisation

- Strategy – Engage and involve our community in decision making
- Priority – Provide engagement options which make it easier for residents and ratepayers to be involved and share their views with council
- Priority – Strengthen strategic, governance and communications frameworks

Other references used:

- Local Government Act 1999
  Section 50 Public Consultation Policies

- Local Government (Elections) Act 1999

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in the preparation or endorsement of the submission to the Local Government Association of SA in relation to the Local Government Participation and Elections Review.

CONSULTATION

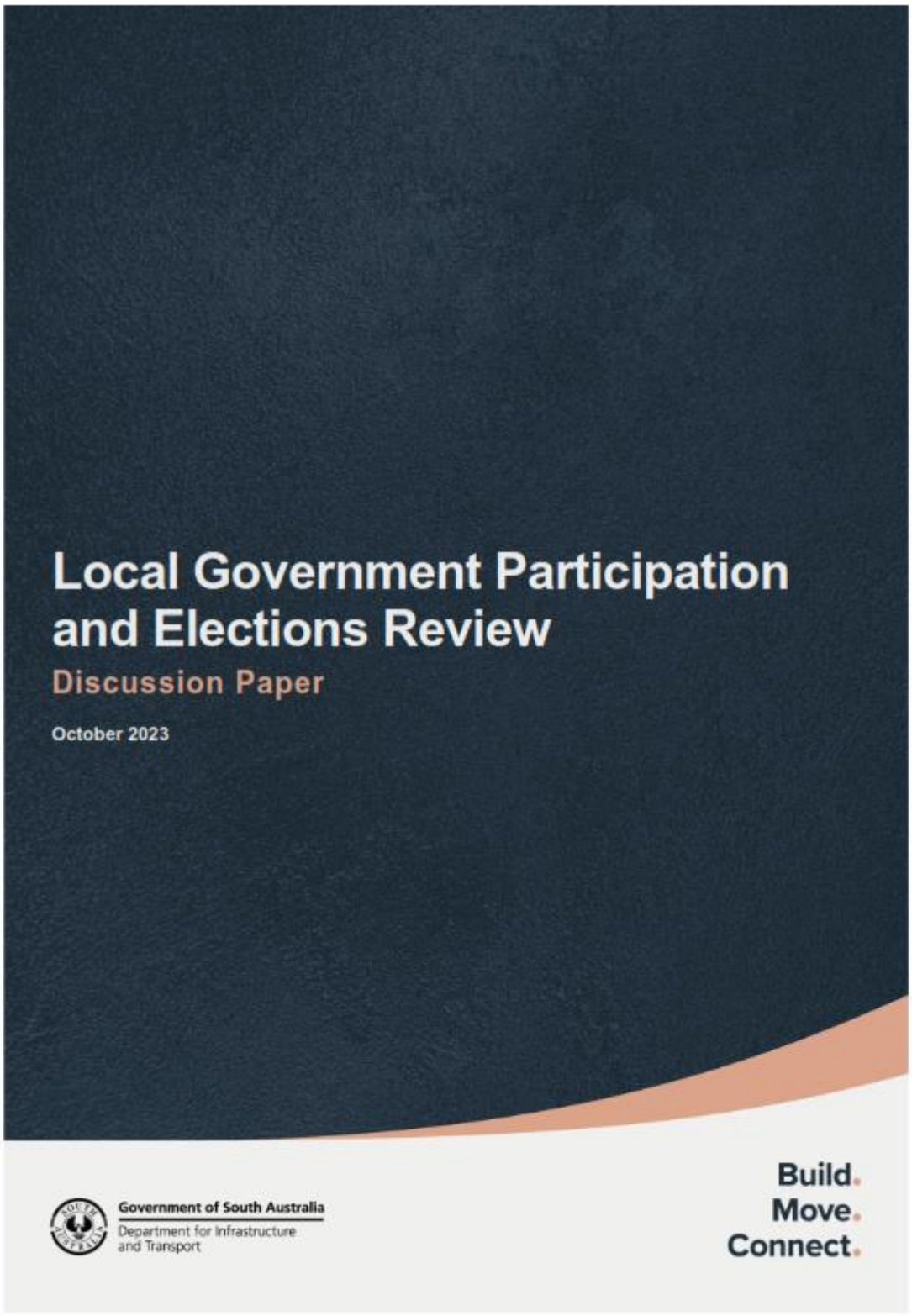
Council Members

Senior Management Team

Acting Governance and Policy Officer – Chelsie Butler

Communications Officer – Emma Warren

Attachment A



Disclaimer

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the Minister for Local Government, its agencies, instrumentalities, employees and contractors disclaim any and all liability to any person in respect to anything or the consequence of anything done or omitted to be done in reliance upon the whole or any part of this document.


We acknowledge the Traditional Custodians of the Country throughout South Australia and recognise their continuing connection to land and waters. We pay our respects to the diversity of cultures, significance of contributions and to Elders past, present and emerging.

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Minister's foreword



Nearly 35 years ago, I threw my hat in the ring and stood for election to my local council. And after 20 years as a council member—including six as Mayor—and 14 as a Member of Parliament, I can confidently say that this was one of the best decisions of my life.

I stood for council for the same reasons that many South Australians do; because I wanted to get involved in the local decisions that have such an impact on our day-to-day lives. It's a challenging role, but one that also has tremendous rewards. I can honestly say—and often do—that my time as a local elected member has been one of the best of my life.

I'm passionate about local government, local leadership, and local decision-making. That's why I am also passionate about encouraging every South Australian to get involved with their council—to have your say about council decisions and activities, and, at election time, to make sure you have your say about who will represent you and make decisions on your behalf by voting.

I'm also passionate about making sure that we have as many South Australians as possible making the same decision that I did so many years ago—to turn my commitment to my community into a decision to run for council and put that commitment into action.

This discussion paper poses a number of questions about how we can improve participation in local government, both throughout councils' terms, and at election times.

It poses some bold ideas that might be challenging or even controversial. But I firmly believe that it is time for us to take real action to better connect people to their councils; to get serious about tackling the persistently low voter turnout that we see every four years at council election time, and to make sure that the future of local government is in the hands of the most diverse and capable local representatives that we can find.

I encourage everybody reading this paper to respond to the questions it poses. Let us know how we can build a future for South Australia where our councils represent and are supported by a local community that truly feels connected to their local government.



Hon Geoff Brock MP

MINISTER FOR LOCAL GOVERNMENT

Introduction

Our local councils are often described as the sphere of government that is 'closest to the people'. The services they provide are often those that touch our day-to-day lives most closely—the footpaths and roads we walk and drive on, the bins we put our rubbish in, the parks, gardens and ovals where we walk, exercise and play with our children, and our local libraries to name just a few.

Yet this involvement with our local services isn't always reflected in close participation and engagement with our councils. While our local members are elected by the ratepayers and residents in their local areas, typically only around a third of voters choose to exercise their democratic right to vote for their council representatives. Councils can also struggle to have a good number of diverse candidates put their hand up to stand for election, to ensure that a local elected body has the best chance of representing and making the best decisions for its local community.

Over the past 20 years, the local government sector has been making increasingly large investments in promoting elections, both to encourage nominations, and to increase voter turnout. This participation is crucial, as elections establish the democratic foundations for the decisions that a council will make over a four-year term to spend ratepayers' money on the services and facilities that the council decides its community can and wants to pay for.

Despite these investments, engagement with councils at election times has remained at consistently low rates. This discussion paper therefore tackles some fundamental questions, not only about how council elections should be run to improve the number and diversity of council members and increase voter turnout, but also how people engage with their council over the whole of a council term, so that when election time rolls around, they are interested and engaged with the future of their local council.

There are four key topics covered in this paper. They are:

1. How people engage and participate with their council;
2. How we can encourage greater numbers and more diverse candidates;
3. How we can increase voter turnout; and
4. How we can make sure that council elections are run efficiently, with the highest level of integrity.

For each of these topics, this discussion paper provides a brief snapshot of current requirements, and changes over time. Each section also puts forward some ideas for improvements—and we want to hear from you! Are these ideas good ones? If not, why not? What other ideas do you have to improve people's engagement with councils—both at, and between, elections?

Topic 1: How people engage with their council

Community Engagement Charter

Councils continually engage with their communities on a range of critical decisions—their annual business plans and budgets, how council rates are set and collected, how parks and gardens and other council land should be used and managed, how a council's elected member body should be structured, and so on.

The *Local Government Act 1999* (the Act) requires all councils to have a public consultation policy in place. This policy must include some actions as a minimum—largely a requirement to consult for a minimum period of 21 days, to publish material on their website and in a newspaper, and to allow for submissions. The Act also requires councils to undertake more specific consultation on significant decisions, such as the requirement to hold an hour-long public meeting on its annual business plan and budget.

Principles of engagement

The Charter is underpinned by these engagement principles:

1. Members of the community should have reasonable, timely, meaningful and ongoing opportunities to gain access to information about proposed decisions, activities and processes of councils and to participate in relevant processes.
2. Information about issues should be in plain language, readily accessible and in a form that facilitates community participation.
3. Participation methods should seek to foster and encourage constructive dialogue, discussion and debate in relation to proposed decisions, activities and processes of councils.
4. Participation methods should be appropriate having regard to the significance and likely impact of proposed decisions, activities and processes.
5. Insofar as is reasonable, communities should be provided with information about how community views have been considered and reasons for actions and decisions of councils.

These principles are consistent with principles adopted by individual councils over many years. They are informed by the International Association for Public Participation (IAP2) Core Values.

These basic requirements have now been in place in the Act for more than 20 years, however, community and council expectations regarding consultation have changed. For example, many councils have moved towards more modern methods of communication and engagement—for instance, using social media to 'get the word out' rather than relying on ratepayers reading notices published in the back of a local newspaper, or undertaking more fit-for-purpose engagement methods such as 'drop in' events at council venues.

Yet while councils may wish to invest in more modern and effective engagement—and their communities may expect them to—they must still comply with two-decades-old statutory requirements.

Changes to the Act will replace these inflexible requirements with a 'Community Engagement Charter' (the Charter). Councils' community engagement polices must be consistent with the Charter and comply with its requirements. These changes will commence when a Charter has been developed—which needs your input!

A flexible or prescriptive approach?

There is broad scope to create a Charter that reflects community and councils' views on how it should direct council's community engagement.

For example, the Charter could specify mandatory requirements that largely replicate the current requirements contained within the Act. Councils would then be required to undertake 'engagement tasks' as the Charter instructs them—for example, to release information online for a specific period of time; or to publish material elsewhere in a particular way. However, placing these requirements on councils may not support councils to invest in community engagement in a way that they feel best meets their community's particular needs.

Another option would be for the Charter to set out a range of general principles or performance outcomes then enable the specifics of each councils' community engagement to be determined in its own community engagement policy. With this approach, there might be concerns in the community that not all councils would engage in a similar way or might not engage to the level that a community may like to see.

The Charter could also be a mixture of these approaches. For example, it could contain more specific requirements for significant council decisions that affect the whole council area, but also allow for a more flexible approach for more localised matters.

While the public consultation requirements have traditionally covered the method of engagement (e.g., minimum consultation periods and publishing requirements), the Charter could also cover the type of information that should be made available during community engagement, or how public consultation feedback should be considered. This approach may fulfil the principle that engagement should encourage constructive dialogue and discussion.

A Charter might include that a council should provide information in a form that is appropriate for the council's community to engage with and make a submission on. Councils could then determine what this information looks like in their community engagement policies.

The intent of the change to a Charter is to enable councils to take a more fit-for-purpose approach to public consultation, taking into account the significance of the matter under consideration, the needs of their local community, and the advantages of new technology. It should also bolster community confidence that their council will engage with them properly on the decisions and actions that affect them.

To achieve this aim, the Charter may:

- include categories of consultation;
- specify mandatory requirements or set out more general principles and performance outcomes related to engagement, for each category;
- provide guidance on specific measures or techniques to achieve outcomes; and
- set out measures to evaluate how outcomes have been achieved, or to what degree.

And, of course, there will be mandatory public consultation on both the Charter and the related council community engagement policies.

One proposal is that the Charter set some minimum standards for more significant council tasks, such as the annual business plan and budget, but largely focus on a 'principles-based approach' to allow councils to determine the exact activities they will undertake to best engage with their communities on their business under their own policies. Another approach could be for the Charter to more specifically dictate exactly what activities councils must undertake to consult on particular matters and decisions, more like the current legislative requirements.

Of course, the Charter will not preclude councils from undertaking non-statutory consultation, which councils may choose to include in their community engagement policies.

Ideas and questions

- What requirements should be set for councils' community engagement for what decisions?
- What should be included in the Charter and what should be left for councils' own community engagement policies?
- Should councils have the capacity to determine how they will engage with their communities, or should the Charter be more directive in its approach?
- What other ideas do you have for councils' community engagement?
- How would you like to see councils engage with you?
- What are the types of information you would like to see councils include when they engage with you?

Council meetings

While community engagement on council decisions is a critical part of councils' business, councils also have other opportunities to engage their communities. Chief amongst these tools is council meetings, which are open, public meetings where all community members should have the opportunity to view council debates and decisions.

Traditionally, council meetings have been held in the council's chambers, with a gallery open to those who wish to spectate. The COVID-19 public health emergency, however, accelerated an increase in people's desire to watch council meetings at home, either at the meeting time or at a time of their own choosing. There is also an increasing need for councils to ensure the safety of people attending council meetings in person, particularly when contentious or highly debated matters are being discussed.

Many councils have met this demand by livestreaming their meetings, or by making recordings available after the meeting.

Ideas and questions

- Should councils be required to livestream their meetings, and make recordings available?
- All metropolitan councils hold their council meetings during the evenings, but councils in regional areas often hold their meetings during business hours. Should councils be required to hold their meetings at a particular time to maximise community participation?

Support council members to engage with communities

Council members are elected to represent their communities. However, many people do not realise that their local elected members are available to speak to about their concerns and priorities and to advocate on their behalf. Instead, people will contact their council administration directly, which can lead to a sense of frustration that they are not being heard, or that their concerns are not being acted on.

Members themselves may not feel empowered or supported to engage with community members, particularly if this is presented as engaging with operational rather than strategic council matters. Additionally, it can be difficult for members to spend time with their community, particularly if they are also busy with work and other life matters.

This can result in a lack of understanding that council members are elected to make decisions on their community's behalf and can also cause a sense of disconnection between citizens and their councils. Conversely, supporting stronger engagement between council members and constituents can increase engagement with local matters and decisions.

Ideas and questions

- How should members be supported to engage directly with their communities?
- Should all council members be provided with a specific allowance to support constituent work, similar to the allowance that is provided to Members of Parliament?
- What other ideas do you have to strengthen the relationship between council members and their local community members?

Topic 2: How can we encourage a greater number of more diverse candidates?

Every four years, elections are held so that local communities can decide who should represent them and make decisions on their behalf about the services and facilities that are provided in their local area. These elections are the foundation of local government—as is the case with state and federal elections, communities exercising their choice on their representation is what makes councils governments in their own right.

For these elections to truly deliver this democratic foundation of councils, community members should be choosing who they vote for from as wide a selection of candidates as possible. Councils that reflect the diversity of their communities are better able to make decisions for, and provide services to, these communities.

However, council elections often struggle to attract enough candidates to fill all vacancies, let alone a wide range of candidates. For example, at the 2022 council elections, 683 positions needed to be filled, but 93 of these positions were filled without an election being held. The voters in these elections had no opportunity to exercise their democratic right to vote for their local representation. Additionally, some positions—including two mayoral positions—did not receive enough nominations, meaning that nine supplementary elections were then needed to fill these roles.

There is also a strong perception that councils are dominated by older people, usually men. Female representation has increased enormously in recent decades, but it is true that candidates for council continue to be dominated by older people.

While the commitment of every person who puts their hand up to stand for council should be acknowledged and appreciated, a more varied range of candidates would better reflect our increasingly diverse community.

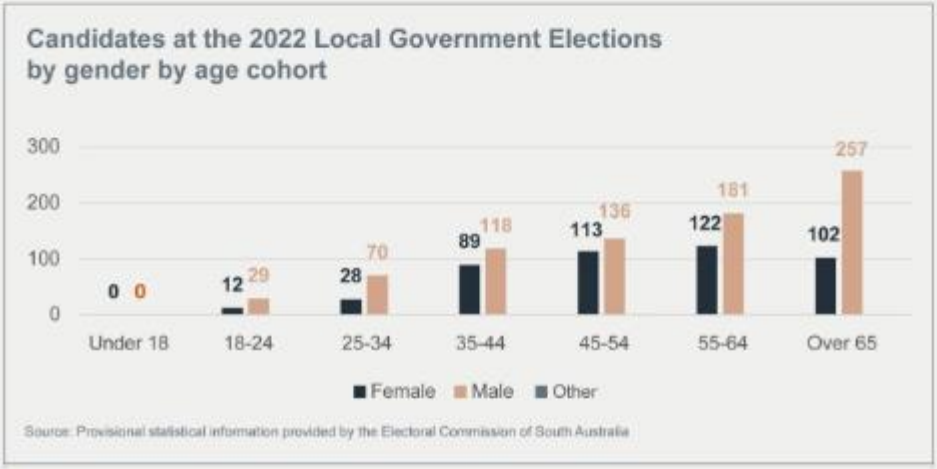
Ideas and questions

Many people choose to stand for their council as they have a real commitment to their local community and want to 'make a difference' by being part of the decision-making body that determines the vitality and sustainability of their local area. However, there would be many community-minded people who already commit many hours to community service but would not consider running in a council election. Why is this? Some ideas to tackle this issue are included below.

2022 periodic council elections—provisional statistics

Provisional statistical information provided by the Electoral Commission of South Australia shows that at the 2022 periodic council elections, elections were held for 565 of a possible 683 (82.7%) vacant positions. This was the lowest proportion of elections held for vacant positions since 2006. Related to this, nine supplementary elections were held following the 2022 periodic council elections, which was the highest number required since, at least, the elections held in 2000. Both statistics point to a drop in the number of candidates nominating, with a record number of positions receiving no nominations.

Of 791 male candidates, over a half (438, or 55.4%) were aged over 55 years.



Both the number and proportion of female candidates have continued to increase, with a record 466 females (37%) nominating for election. Of 466 female candidates, 224 (48%) were aged over 55 years.

Of all 1258 candidates, 1043 (82.9%) were born in Australia. The next largest group by birth was the United Kingdom (78, or 6.2%), followed by India (42, or 3.3%).

While the total number of nominations declined at the 2022 Local Government elections, the long-term trend has seen an increase in people nominating for election, particularly amongst women. From the 2000 council elections until 2014, women consistently made up between 25% and 29% of nominees. At the 2022 council elections, the number of women nominating reached an all-time high, with women representing 37% of all nominees.

Increase council members' allowances

Most council members receive a small independently determined annual allowance of between $7,192 and $25,838, depending on the council. Mayors receive an allowance four times more than the councillors of their council. The City of Adelaide is an exception to this: council members' allowance is $28,692, and the Lord Mayor's allowance is $195,851.

These allowances are not intended to be remuneration or a salary, as is the case for Members of Parliament. This often results in council members performing their roles in addition to paid employment or other income, or—as is often the case—being retired.

Would more, and a more diverse range of, people be attracted to the role if allowances were increased?

Make council meetings more flexible

Are there elements of council business that might put people off nominating?

For example, if a council meets during business hours, does that prevent people from standing for council if they are in the workforce or have family or other responsibilities? Or does it enable others, who may not be able to attend evening meetings, to run for council?

Currently, council members are required to attend council meetings in person. Enabling members to attend meetings electronically may also provide the flexibility that is needed to encourage a wider range of people to nominate for council. However, this should also be considered in the context of additional matters, including:

- Challenges that can arise when a meeting is held with some members in the room, and some are on screen, which can make meeting discussion and management difficult.
- The need to ensure that important integrity matters are properly managed, such as members not participating where they have a conflict of interest in a matter or ensuring that sensitive matters are discussed in confidence.
- Providing an assurance to communities that their council members are physically present in their local area, for at least a good proportion of time. If members are able to attend meetings electronically, there may be no guarantee that they are in the local area at any time.

Should council members be able to attend some council meetings electronically?

More local promotion

Local government invests in raising the profile of councils and council elections shortly before elections to increase awareness of and interest in, nominating for elections.

Close to each council election, the Local Government Association of South Australia (LGA) runs a campaign on the sector's behalf to generate awareness of the upcoming elections, and to encourage interest in standing.

This approach has the benefit of providing a statewide, funded campaign, but may also mean that promotion on a local level doesn't necessarily reflect what is going on in each council area, or the local issues. It may also mean that people don't draw a strong connection between a wider, consistent campaign and their own local area and council.

Are there other efforts that councils could make to increase interest in standing over a council term, for example, by working with ratepayer or other community organisations?

Would councils get a better local result if they make greater investments in local promotion and initiatives, particularly ahead of election periods?

Term limits for council members

Council members have no limit to the terms that they can serve on council—it's not unusual for council members to serve for 20, 30, or even 40 years. While this commitment is commended, limiting council members to a maximum of two or three terms may 'open up' vacancies to a wider range of candidates, who may otherwise be dissuaded by having to run against a long-established incumbent member. Limiting council members to a maximum of two or three terms may also allow for fresh ideas and perspectives to be brought in by new candidates.

Should term limits for council members be introduced?

Required training for candidates

A question that is increasingly being asked is whether people considering nominating for council should be required to undertake some kind of formal or informal training, such as a short online course, before they nominate.

This might ensure that potential candidates better understand a council member's role before they put the time and energy into running, and also maximise the chances of a person being really committed before they stand and are potentially elected. It may also reassure people considering standing that if they are elected, they will be joining a group of people who all have sufficient commitment to the role to complete this training.

However, requiring some form of training might also put people, who would potentially make great elected members, off standing. Should people be required to complete an online course before nominating?

What forms of training could both benefit candidates and generate more community confidence in the people that are standing for election?

Consider real-time publishing of nominations

Historically, candidates have deposited their nomination with the council, who would forward it to the Electoral Commission of South Australia (ECSA) for lodgement. Councils were then required to display names of people who had successfully nominated for election on the noticeboard in their principal office once notified by ECSA.

Following requests from councils, changes were made ahead of the 2022 periodic council elections that removed councils' role in displaying candidate details in council offices.

ECSA then managed the nominations as it does for State elections by receiving and publishing all of them online at the close of nominations—this is also the case for federal elections, as managed by the Australian Electoral Commissioner. This harmonised the nomination process for all three spheres of government, and also responded to concerns that some candidates were 'ward shopping', that is, withdrawing their nomination for a contested election to re-nominate for another, uncontested ward after reviewing nominations displayed at the council.

However, some councils reported that not publishing nominations at council offices meant that potential candidates did not know that not enough nominations had been received to fill all council positions, and—if local people had known that only two or three people, or no-one had nominated—they otherwise may have put their hand up to stand.

There is also a view, though, that the publication of these details encourages people to stand for reasons that may not be considered the best reasons—for example, because they know that they will not have to run in a contested election—rather than simply because they wish to contribute to improving their local community.

Should councils have a role in the nomination process?

If ECSA continues to receive nominations directly, should there be a requirement for nominations to be published throughout the nomination process, not just at the end? If so, how should these be published?

Remove council wards

Thirty of South Australia's 68 councils have a ward structure, where a council is divided into smaller areas for the purposes of elections.

Traditionally, maintaining a ward structure has been regarded as a way to bolster representation from all parts of a council's whole area, rather than just its major population centres—although it should be remembered that all wards are required to have equivalent elector and member ratios to ensure the 'one vote, one value' principle.

Once a member has been elected from a ward, though, they have a clear obligation to make decisions in the interests of the whole council area, not just their ward. It can be difficult for members to be able to do this, as they will respond to the concerns and views of the constituency that elected them—the electors of their ward—even if this may not be consistent with the interests of the council as a whole.

Wards can also determine—and to a degree, restrict—who can stand, as they essentially require candidates to form a constituency from within a limited geographic area, rather than across a whole council area.

For example, one candidate may wish to stand on a platform of advocating for additional services for parents, and while they may not have a sufficient constituency within their local ward to support their views, they may well do so across the whole council. Yet the requirement to standing for a ward also restricts them to forming a like-minded community within that small area.

Removing wards from councils could 'open up' opportunities for a much wider, more diverse group of candidates, by giving them much more flexible options to find their own community of potential voters.

Many councils, particularly regional councils, have already removed wards as some wards were heavily contested, and others not at all. Occasionally, where wards had fewer nominations than positions, this resulted in the need for a supplementary election. It could also be possible for wards to be removed from a council if elections for all, or some wards, are not contested.

However, especially in larger councils, wards can provide a way for the council's population to maintain a closer level of connection to their council member. An alternative approach to removing wards for all councils may therefore be to set a 'size threshold' for councils to retain wards. This threshold could be the size of the council's roll, or the ratio of council members to voters.

Should councils continue to have wards? If so, why? And if not, what would be the benefits of removing them?

Should wards only be kept in councils where a council's size warrants their retention?

Lack of nominations trigger for boundary reform

A council's existence as a local government is predicated on having a locally elected body. Smaller councils often point towards the support for their local elections as evidence that amalgamation, or other boundary change is not necessary or desirable to help the council deliver the services that their community expects. However, this is hard to argue when not enough people stand to fill all council positions at election time.

Increasing the size of a council's area, or making other structural changes, may support a greater number of more diverse candidates to stand for that council, giving its citizens greater choice and a stronger local representative body.

Should potential boundary changes be referred to the South Australian Boundaries Commission when a council receives significantly fewer nominations than it has vacancies?

What are other factors that might encourage—or dissuade—people to stand for election to their councils?

What ideas do you have to increase nominations?

Topic 3: How can we achieve a better voter turnout?

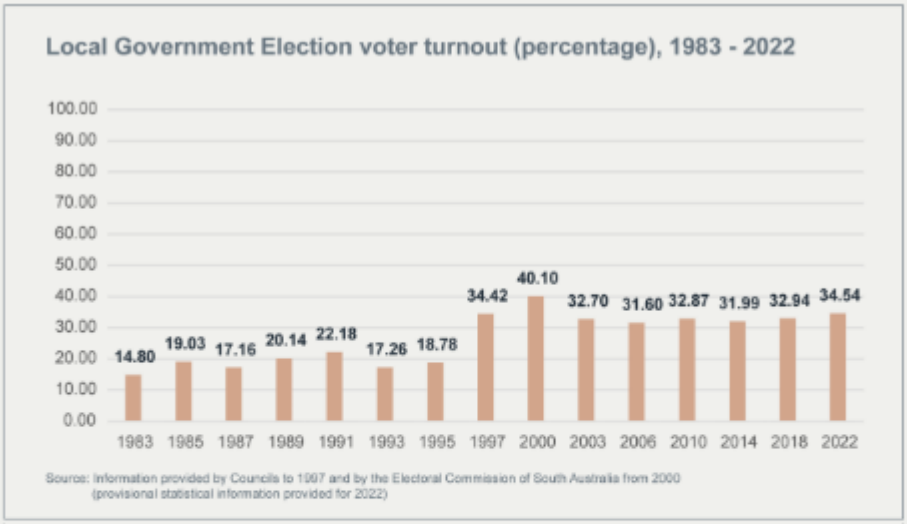
One of the unique factors about local government in South Australia is the way in which people vote for their council. Unlike federal and state elections, where voting is compulsory and in person, voting for councils is voluntary and done through the postal system.

Many people are not aware that postal voting was introduced in 1997. Before this, voting was done in person, but voter turnout rarely exceeded 20%. Over the six elections since the turn of the century, voter turnout has remained consistently low. This held true for the most recent periodic council elections held in November 2022, when the voter turnout was 34.5%.

This means that around two-thirds of people who could vote for their local council representatives are choosing not to vote.

Democratically elected councils are the foundation of local government. Yet citizens are not exercising their right to choose who will represent them, make the decisions about how to spend their rates, and determine what services their local area should receive.

Some ideas to improve voter turnout are detailed below.



Make voting for councils compulsory

Over time, most other Australian jurisdictions have made voting in council elections compulsory. South Australia is now one of only two states that have maintained voluntary voting in council elections, along with Western Australia.

Tasmania is the most recent state to make this change, following concerns that voluntary voting had dipped to 68%. Following the introduction of compulsory voting, this increased to 84.8%, with the increase in participation higher amongst electors aged under 34 years, whose participation rates in past elections was below 46%.

Making voting for your council compulsory would be the most certain way to increase voter turnout. It would also remove a significant difference between council elections and both the Australian Government and South Australian Government elections.

Is there any particular reason why councils do not warrant compulsory voting, when the two other spheres of Australian governments do?

Should voting for councils be compulsory in South Australian council elections?

How do people vote for their council in other Australian jurisdictions?

Queensland—voting for councils is compulsory in Queensland. Voting is by attendance, but councils can apply to the Minister to request postal voting to apply for all or part of their area. For the March 2024 Queensland council elections, the Minister approved full postal elections for 15 councils. Hybrid elections (a mix of attendance and postal voting) were approved for a further two councils.

Victoria—in Victoria, it is compulsory for residents in a council area who are enrolled for state elections to vote in council elections. However, voting it is not compulsory for other voters, including property-owning ratepayers, except in Melbourne City Council. The Victorian Minister for Local Government decides before an election whether council elections will be held by postal vote or attendance vote.

Tasmania—as with Victoria, voting at council elections is compulsory for voters on the state roll in Tasmania, but not for other voters. Postal voting is the voting method.

New South Wales—in NSW, voting is compulsory for electors on the residential roll, but not for other voters. Voting is by attendance.

Western Australia—voting for councils is not compulsory in Western Australia. Most voting is through the postal system—while attendance voting is also available to electors, it is not primarily used. Eight out of 139 local government areas run in-person elections.

States that have attendance voting for councils (Victoria, NSW and Queensland) allow voters to cast a 'pre-poll' vote at a polling centre before polling day, or apply for a postal vote, if they cannot attend a polling place on election day. Additionally, some states—including South Australia—offer telephone voting to assist vision-impaired voters, and/or voters who are overseas or interstate and may not otherwise be able to return a vote in time.

Change the method of voting

Voting for Australian councils is done by postal or attendance voting, or a hybrid of the two. In a postal voting system, electors are sent their ballot papers in the post. They fill them out and then return via post, or by depositing the envelope in a ballot box at their local council. Attendance voting requires electors to 'attend a polling place' in person, where their enrolment details are checked, and they then vote—as is the case for state and federal elections.

Hypothetically, it should be easy for voters to open the envelope that is sent directly to them, read the candidate profiles, decide who they want to vote for, mark the ballot paper, sign the declaration, and return the vote in the post. However, the stubbornly low rate of people who do this indicates that in our busy lives, it can become one more administrative task to do—and easy to put to one side.

Given this, it may be worth re-visiting the question of whether voting for councils should be through the post, or return to attendance (in person) voting, particularly given the increase in pre-polling and postal voting in recent state and federal elections.

But it must also be acknowledged that voter turnout in a postal voting system for local government has always been higher than it was for in person voting. As noted, the change from attendance to postal voting in 1997 saw a bump in voter turnout, however, this turnout then dropped and has consistently stayed at around 32–34% since.

How should people vote for their councils?

Consider who can vote for their council

People who can vote for their council are:

- Residents in a council area who are enrolled for state elections. These people automatically receive ballot papers in the post.
- Persons, business lessees, business owners, bodies corporate or groups that are ratepayers, or occupy a rateable property, within the council area (often referred to as the 'property franchise'). Those falling under this category, who wish to vote in council elections, must self-enrol for each council election by completing an enrolment form (except in the City of Adelaide, where they are automatically enrolled).

Voters exercising their property franchise do not need to live in the area of the election they are voting in, and do not need to be Australian citizens.

Additionally, residents within a council area who are not Australian citizens may also self-enrol to vote for their council, if they have been a resident in the area for at least one month immediately before the date they apply to vote. This reflects the general tenor of council elections—that local people who use local services should have a say in the local decision-making body that determines them. However, some people argue that this is not appropriate, or that a longer period of residency should be required before non-Australian citizens can enrol to vote.

While one month's residency may not sound like a long time, non-citizens choosing to vote for their council will have been living in their area for a longer period. For the 2022 council elections, the final date to enrol to vote was 29 July 2022. This means that a person would have needed to have resided in a council area for at least the period from 29 June 2022 to the point at which ballot papers were posted out at the end of October 2022—approximately four months in total.

Should the franchise for council elections be changed in any way?

Online voting

Often people ask why they can't vote online for their council, particularly now that so many transactions—including government processes—are conducted online.

However, Australia is not yet in a position to introduce any large-scale system of online voting without seriously compromising the integrity of our elections. There is a very serious risk that personal computers, as well as servers, storing and counting votes could be hacked.

Any move to online voting must consider a number of factors:

- **Security**—can the system be made secure from tampering?
- **Operational**—can the system be securely and effectively administered by electoral officials?
- **Authenticity**—how does the system know that the person voting is who they say they are? Can votes be verified and scrutinised? How does the system guarantee the secrecy of a person's vote, and that it was cast without undue pressure?
- **Perception**—is the system robust enough to assure all citizens that the election is secure, and the results can be trusted?

These challenges explain why there are very few examples of fully online voting around the world.

NSW is the only jurisdiction in Australia where online voting has been permitted. The remote voting system iVote has been used in a limited capacity for state elections since 2011, and more recently in council elections. However, in March 2022, the NSW Supreme Court ruled that three council elections held in December 2021 were invalid due to an error with the iVote system.

Additionally, in these elections, the iVote system suffered outages—the NSW Electoral Commission estimated that more than 10,000 people could not cast a vote. iVote was then not used for the 2023 NSW State elections.

Change the timing of council elections

Currently, council elections are held in November of the same year as State government elections. This can mean that three elections—state, federal and local—could be all held in the same year—as was the case in 2022. Many people argue that this generates 'voter fatigue'—that by the time council elections roll around, people struggle to have interest in and enthusiasm for another election.

Many will argue that giving council elections 'clear air', well separated from South Australian Government elections, gives local government the opportunity to gain the attention that it deserves as an independent sphere of government. Others argue that a close alignment between local and state elections means that councils and the South Australian Government have the majority of their respective four-year terms to build close working relationships.

Additionally, both councils and the Electoral Commissioner have also expressed concerns that requiring ECSA to hold South Australian Government and council elections in the same year places a huge burden on ECSA, which, while it has enormous experience in running multiple processes at once, cannot really turn its whole attention to council elections until all aspects of a state election are completed. This may not be the best result for councils.

Should council elections be moved to a different year from South Australian Government elections?

Election promotion

As described in Topic 2, the LGA undertakes promotion before council elections to encourage people to stand for election. Councils also provide funding to the Electoral Commissioner to run a promotional campaign to let people know the election is underway, and to encourage people to vote.

While this approach results in a centrally funded and organised election promotion campaign, as is the case with encouraging nominations, it doesn't necessarily link the elections to a local area in a way that might prompt voters to consider voting for their council members.

Should councils have a stronger role in promoting elections locally to increase voter turnout?

Removing wards

Topic 2 includes discussion on the reasons that councils have wards, and the impact that wards may have on nominations for council elections.

It is also noted that removing wards would provide voters with a greater choice of candidates to choose from and may therefore encourage more people to vote. Where wards are in place, voters only have the opportunity to consider and vote for a relatively small number of candidates for a small number of places. This can be particularly noticeable where voters in some wards do not get to vote at all, as there is the same number of candidates as positions, but other wards in the same council area are heavily contested.

Varying voter participation rates across different wards in the same council can also give rise to inconsistencies in the number of votes that are needed for a candidate to win a position at that council. For example, in the 2022 periodic elections, a candidate in one council ward was elected with 722 votes, while other candidates in different wards for that council did not get elected, despite receiving between 786 to 998 votes.

Would removing wards provide voters with greater choice, and produce fairer results?

Consider candidate information

Currently, information about all candidates is included in the ballot pack distributed to voters. This includes the 'candidate profile' that is prepared by each candidate, along with information on any political party membership, and a 'tick the box' statement of whether the candidate lives in the area being contested.

This information is crucial in helping voters decide who they will vote for, particularly in larger council areas where it may be more difficult to know your candidates personally. But it can also be difficult for voters to work out who to vote for based on the brief candidate profile that is included in a ballot pack. If voters want more information about people running for their council, then they must generally make their own efforts to find it, by searching social media, or contacting councils directly.

There may be a role for councils to play in providing a platform for candidates to use to make themselves known to voters, and for voters to gain a better understanding of their choices. This may be through online 'town hall' or 'question and answer' sessions. Council administrations may have concerns, however, that this may be inappropriate involvement in an election for a body that must be, and must be seen to be, impartial.

Some feedback received after the 2022 periodic council elections was that the newly introduced requirement for members to include information on political party membership was helpful to voters, but also that additional information—including a National Police Check—may help people to know more about the candidates, and therefore encourage them to return their vote. This raises a question, however, as to whether requiring what can be sensitive information may dissuade people who may make good council members from standing. Is it fair for someone who has 'served their time' to have to release this information?

What information should candidates be required to include with their nominations?

Is there a role for councils to play in enabling all candidates to reach potential voters?

What are other factors that might encourage—or dissuade—people to stand for election to their councils?

What ideas do you have to increase nominations?

Topic 4: Election improvements

As the foundation of our local democracy, it is essential that council elections are run as efficiently as possible and with the greatest level of integrity. This review is therefore an opportunity to consider any needed improvements to our system of council elections, particularly considering that a number of changes were introduced before the 2022 periodic council elections.

After each periodic council election, the Electoral Commissioner undertakes a review of the elections. The Electoral Commissioner has advised that he will provide a report of his review of the 2022 periodic council elections to the Minister towards the end of the 2023 calendar year. Any recommendations that the Electoral Commissioner makes will be considered for inclusion in this review.

In summary, therefore, this review will look at the following:

- Any modifications that may be needed following changes introduced in 2022. In particular, the obligations for council election candidates to provide their campaign donations returns directly to ECSA, and the automatic loss of council office for failure to do so will be considered, given the significant issue this caused in early 2023, when special legislation needed to be passed to restore 45 council members to office who had lost their positions for this reason.
- Any matters raised by the Court of Disputed Returns, or other illegal practices found by the Electoral Commissioner, which may require legislative amendment to protect the integrity of council election processes.
- Any other matters raised, or improvements identified by the Electoral Commissioner in his review of the 2022 periodic council elections.

Do you have any ideas to improve council elections?

10. COMMUNITY AND DEVELOPMENT

10.1 Arts and Cultural Programming Commitment

Committee Victor Harbor Council

Meeting Held 22/01/2024

From Mark Przibilla

File Reference ED4.92.009

RECOMMENDATION

That Council approves a three-year commitment for the continuation of the Arts and Cultural Program commencing from 1 July 2024, inclusive of maintaining the services of a full time Arts and Cultural Facilitator to deliver the program.

INFORMATION

Purpose
The purpose of this report is to present to Council the future delivery and resourcing of its Arts and Cultural Program for consideration with a view to a three-year commitment to its continuation, inclusive of a full time Arts and Cultural Facilitator to deliver the program.

Background
In August 2017 Council entered into a Memorandum of Agreement with Country Arts SA and the District Council of Yankalilla to employ the services of a shared Arts and Cultural Facilitator.

The role saw the officer positioned at Yankalilla up to two days per week and Victor Harbor three days per week, while also supporting the in-region promotion of Country Arts SA programs during these times.

The term of the initial partnership funding was extended by Country Arts SA during the early stages of the COVID-19 pandemic with the term of the agreement concluding in March 2021. The inaugural officer concluded in the role in January 2021. The position vacancy allowed time and opportunity for the Council and its partners to consider the future of the program in the context of preparing for the 2021/22 budget. The program of activities delivered by the inaugural officer proved successful with a desire expressed by the Council to continue the program.

Council then received an invitation by Country Arts SA to lodge a funding application that would support the employment of an officer for a two-year period. Given the turnaround time required by Country Arts SA at the time, a conditional funding application was lodged, pending a formal commitment by the Council.

Subsequently, Council resolved at its Ordinary Council meeting held on the 24 May 2021:

OC2292021 Moved: Cr Marilyn Henderson
Seconded: Cr Carol Schofield

1. That Council receive and note the Arts and Cultural Officer – Position Resourcing report.
2. That, subject to a successful grand funding application, Council endorse the recruitment of an Arts and Cultural Officer for a two year period in partnership with Country Arts SA; and that the Chief Executive Officer be authorised to finalise the negotiation and exection of a Memorandum of Agreement with Country Arts SA consistent with the intent of this report.

CARRIED

Council's application for funding through Country Arts SA was successful, which lead to the recruitment of Mia Stocks into the Arts and Cultural Facilitator role.

Culture Strategy – Arts and Heritage (the Strategy)
On 22 August 2022, Council adopted the *Culture Strategy: Arts and Heritage 2022-2027*. The Strategy lists six key initiatives and thirty-seven deliverables, and provides Council with a structure and a clear direction on how it seeks to invest in Arts and Culture going forward. One of the deliverables is to maintain the resources of a full-time Arts and Cultural Facilitator while seeking to collaborate with arts organisations.

The strategy also highlights Council's flagship project, the Arts and Culture Centre. As the Council is aware, the City is working towards the construction and subsequent operation of a state-of-the-art Arts and Culture Centre. Whilst the development of the centre itself is not within the scope of the strategy, it supports continued planning for the centre. There is much work to do to build capacity in the community to ensure the success of the centre, for which this role plays an integral part.

The preliminary business case that was prepared in 2021 by Randall Arts Management (RAM) estimated a core staffing requirement for the new centre at 7.8 FTE, therefore continuing this position in a full-time capacity will enable the growth in the Victor Harbor arts community, giving the centre the best chance of success when it is operational.

Commentary
The extent of arts and cultural programming delivered by Council has grown significantly since its inception in 2017.

The program has seen the establishment of a 'bricks and mortar' facility in the Coral Street Art Space, while there has been continual growth in the engagement and participation of the community in arts and cultural activity, led by Council.

Some of the more specific activities delivered by the Arts and Cultural Program area have been outlined below:

- Co-ordination and programming of the Coral Street Art Space.
- Administration of the Council's Arts and Culture Advisory Group.
- Procurement of public art for Main Street Stage 4.

- Delivery of the Muwerang Mosaic Project affixed to the concrete wall along Bay Road
- Delivery of the Council's annual Arts and Culture Grant Funding Program.
- Delivery and reforms that have increased quality and frequency of the Artisan Markets.
- Feedback into the design of the proposed Arts and Culture Centre, while also incorporating the views of the local arts and creative sector representatives into planning.
- Increased utilisation of the Victa Cinema facilities for broader community and creative uses.
- The preparation of the Council's draft Culture Strategy - Arts and Heritage, while now leading the implementation of the strategy.
- Promotion and engagement with the arts and creative industry sector on grant funding opportunities.
- Collaboration with the Council's Festivals and Events Officer and Community Services section on the inclusion of local artistic content in the delivery of festivals, events, and community activities.
- Design of the 2023 Christmas Decorations program
- Curation and facilitation of content for the Mainstreet Digital Art Projector.

The establishment of an arts and cultural program has led to ongoing community support. The community has expressed its support for arts and cultural activity through various community engagement activities delivered by Council, while attendance at events held at the Coral Street Art Space and volunteer participation in various arts-based activities delivered by the Council has grown.

Council's investment into Arts and Culture is now resulting in an emergence of independent investments from within the community in arts and culture, some recent examples of this include:

- Installation of a pelican featured public art piece by the property owner of the Victor Central precinct.
- Interest by the developer of the Jones and Partners Radiology building to install a mural on the wall facing the railway turntable
- A local business seeking to invest in local artist residency facility in Victor Harbor
- Interest from SA Water to install a mural on the pump station wall, adjacent to Nangawooka Reserve.

Coral Street Art Space

The management and curation of the Coral Street Art Space (CSAS) occupies an element of the Arts and Cultural Programming budget and requires a large portion of the Arts and Cultural Facilitator's time to manage. Due to Councils ongoing commitment to the space generally being based around short (single financial year) periods, it has been problematic since the inception of the art space to secure high quality touring exhibitions.

This report recommends that Council provide a three-year commitment to the Arts and Cultural Program, inclusive of the Coral Street Art Space and facilitator position, thus allowing for assured multiyear planning to occur. This would also more effectively enable the longer-term strategic directions of the Coral Street Art Space and related facilities be

informed through preparation of a business plan that seeks to integrate the operations of the Victa Cinema, Town Hall and Coral Street Art Space, maximising the use of Council assets to their full potential.

Country Arts SA Partnership

The funding provided to Council since 2017 has been granted under the Country Arts SA – Creative Partnerships Program. The objective of the project is to invest into and establish arts and cultural activity in regional areas of South Australia, primarily targeted toward local government. The seed funding is provided on the basis that it enables local government to establish programming and in time continue this programming independently of Country Arts SA.

In the first 4 years of the partnership Council received $50,000 per annum, while the second partnership agreement involved a commitment of $70,000 per annum. The funding has been provided to support salary and programming associated costs. The expectation of the funding provided has been that the officer represents Country Arts SA in the broader region and promote activities beyond the City of Victor Harbor boundaries.

Country Arts SA has recently advised that funding will no longer be available beyond the existing arrangement that concludes on the 30 June 2024.

Dialogue with representatives from Country Arts SA suggests that Council would be well positioned to apply for various grant programs offered either by Country Arts SA or other related arts organisations to support projects. While not guaranteed, this could offset some decline in income from grant funding previously received.

Arts and Cultural Budget

Council's 2023/24 budget has allocated $211,600 to support the delivery of arts and cultural activities. This funding includes all income received by the Council from Country Arts SA and commissions from the sale of artwork and retail through the Coral Street Art Space.

The 2023/24 Arts and Cultural budget has been summarised in the below table, to provide Council members with an understanding of areas of expenditure. The table provides an outline of the difference between a Full Time Equivalent (FTE) and the 0.8 FTE (4 days per week) officer. Further commentary on the options has been provided in the report below.

	2023/24	**2024/25 – Option 1**	**2024/25 – Option 2**
Income	**Budget**	**Forecast*** *Based on 1 FTE Officer*	**Forecast*** *Based on 0.8 FTE Officer*
Country Arts SA Grant	$70,000	$0	$0
Sale of Artwork	$55,000	$70,000	$60,000
Arts Project Grants	$0	$10,000	$10,000
TOTAL INCOME	**$125,000**	**$80,000**	**$70,000**
Expenditure	**Amount**		
Staffing (salary and on-	$ 126,250	$131,840	$108,600

costs)			
Coral Street Programming	$20,000	$20,000	$20,000
Culture Strategy projects / actions.	$25,000	$25,000	$25,000
Arts and Cultural Grant Program	$10,000	$10,000	$10,000
Mainstreet Digital Projector Maintenance	$4,500	$4,500	$4,500
Artist Payments from Artwork Sales at Coral Street	$45,000	$55,000	$48,000
Building Maintenance / Operations – Coral Street Art Space	$31,700	$31,700	$31,700
Christmas Decorations (Operating budget)	$23,800	$23,800	$23,800
Other Expenses	$2,000	$2,000	$2,000
Full Cost Attribution	$23,600	$23,600	$23,600
Depreciation	$28,000	$28,000	$28,000
TOTAL EXPENDITURE	$339,850	$355,440	$325,200
TOTAL	$214,850	$275,440	$255,200
Increase from 2023/24 budget		$60,590	$40,350
All amounts are excluding GST			

Budget forecast notes:

- $70,000 in grant income from Country Art SA has been removed.
- An increase of $15,000 in income from the sale of artwork, has been assumed, based on recent trends and the potential for increased opening hours of the Arts Space.
- $10,000 in potential grant income has been included – see comments below*****.
- $23,800 allocation for Christmas Decorations has been included as this supports installation of existing decorations, not the purchase of new decorations.
- Were it possible for the current partnership to continue into next financial year, hypothetically the 2024/25 budget would be estimated to increase by $8,840 to allow for staffing costs inflation.
- If the Council were to maintain a full-time officer, the 2024/25 budget would increase by $60,590 (equating to $51,750 hypothetically) over and above recurrent costs. At 0.8 FTE (4 days per week) the 2024/25 budget would increase by $40,350 (equating to $31,510 hypothetically).

*****While the financial partnership with Country Arts SA will conclude on 30 June 2024, there is an opportunity for Council to apply and successfully receive project funding through Country Arts SA and other such arts organisations for projects. It has been forecast that Council

could reasonably receive up to $10,000 per annum in grant funding for specific projects that relate to the Culture Strategy – Arts and Heritage.

Options for Consideration

The following four options are presented for consideration:

1. Arts and Cultural Program – No Change

Commentary: This would see no change to the existing program, with Council funding being increased by $60,590 from the 2024/25 financial year. Grant funding would be sought through Country Arts SA and other related arts-based organisations to support additional programming.

With no requirement to support Country Arts SA programming in the region there would be additional resource capacity under this arrangement for the officer to deliver on Council's aspirations through the Culture Strategy – Arts and Heritage and to pursue grant funding opportunities. It would also provide for the opportunity to increase operating hours of the CSAS.

Also, with the prioritisation in Council's Long Term Financial Plan for the capital delivery of an integrated Arts and Culture to not commence until 2028/29 ongoing commitment to the Arts and Culture program and the resourcing thereof demonstrates good faith to the community.

2. Arts and Cultural Program – Part Time Officer (0.8 FTE)

This option would see the Arts and Cultural Facilitator role move from full time to 0.8 FTE or 4 days per week. The reduction in officer time would be offset by a reduction in time devoted to serving the needs of Country Arts SA in the region. In real terms this would not be a reduction to service levels for City of Victor Harbor related activities. It would, however, limit potential for growth and improved integration of the arts precinct (incorporating CSAS, Victa Cinema and Town Hall), as well as limiting the opportunity to operating hours for the CSAS. The growth of arts and culture activities over the next few years is integral to the success of the new arts and culture centre.

3. Arts and Cultural Program – Part Time Officer (0.6 FTE or less)

This option is not being recommended as it will require a reduction in service levels, as a significant portion of the officers time will need to be allocated to the management and programming of the CSAS within reduced operating hour. It would also leave limited time and resources to undertake any other activities or achieve income forecasts in the budget.

4. Arts and Cultural Program – concluded

This option is not being recommended, however is an option that Council could consider. It would require closure of the CSAS and reduce any opportunity to effectively and holistically integrate arts and culture related activity with the Victa Cinema and Town Hall facilities, or partner with any other local arts entities. It would also prevent Council from achieving the aspirations of the *Culture Strategy – Arts and Heritage* as well as those aspects of this strategy that are referenced in other strategic documents such as the Community Plan, the Economic Development Strategy and the

Investment Attraction Strategy. The risks associated with Council proceeding with this option have been documented in the 'Risk Assessment' section of this report.

Summary
This report recommends that Council continues the Arts and Cultural Program with no change to existing resource levels, as outlined in Option 1. This would maintain Councils existing service levels, while enabling Council to continue to pursue its arts and cultural objectives through the Culture Strategy – Arts and Heritage.

Further to this it is recommended that Council provide a three-year commitment to the arts and cultural program, including the Arts and Culture Facilitator position, thereby enabling effective longer-term planning and scheduling of activities. This would also support efforts and likelihood of achieving partnership and project/program funding opportunities.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Reputation – there is a medium to high risk that the community could respond negatively and raise concern if Council were to discontinue or significantly reduce the existing arts and cultural program and activities. This would result in either the closure or reduced operating hours of the Coral Street Art Space, a space that is increasingly being utilised by the community. The risk is mitigated with a commitment to an ongoing Arts and Culture Facilitator to support the activity area and deliver the programs. This is assessed as ***low***.

Service Delivery – there is a medium to high risk that, should Council significantly reduce the staffing and program resources in the area of arts and culture, Council would find it difficult to continue to maintain services in the area of arts and culture. The risk is mitigated with a commitment to an ongoing Arts and Culture Facilitator to support the activity area and deliver the programs. This is assessed as ***low***.

There is also a risk, should Council discontinue the program from 2024/25 or delay a commitment to funding, that it would be difficult to maintain the services of an Arts and Cultural Facilitator up until the end of the current financial year, thus requiring reductions to services, up until this time. This risk is assessed as ***medium***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 1 - We are a caring, connected and active community

- Strategy - Encourage initiatives that facilitate social interaction and connection with the community
- Strategy - Support a vibrant community culture

Aspiration 2 - We have a culture of innovation, collaboration and creativity

- Strategy - Cultivate art and culture in our community
- Strategy - Encourage, support and promote innovation and entrepreneurship
- Priority - Encourage initiatives that actively celebrate and promote cultural understanding
- Priority - Deliver an arts and cultural program, that brings vibrancy to the City and encourages artistic expression
- Priority - Pursue the delivery of an Arts and Cultural Centre
- Priority - Attract new and support existing creative industries

Other references used:

Culture Strategy – Arts and Heritage 2022 – 2027
Key Initiative 6 - Support, Partnerships and Promotion

- Deliverables – Maintain the resources of a full time Arts and Cultural Facilitator while seeking to collaborate with arts organisations.

BUDGET IMPLICATION

Council has sufficient funds in the 2023/24 budget to continue the program, offset by the grant funding from Country Arts SA.

The report recommends that Council continue the arts and cultural program for a further three years, while maintaining the services of a full time Arts and Cultural Facilitator. If Council were to support the recommendation it would require an increase in the 2024/25 annual business plan and budget of $60,590.

CONSULTATION

Council Members – Briefing Session held 29 November 2023

Chief Executive Officer – Victoria MacKirdy

Director Community and Development – Graham Pathuis

Arts and Cultural Facilitator – Mia Stocks

Country Arts SA – Anthony Peluso (Chief Executive Officer)

10.2 Arts and Culture Grant Program Guidelines

Committee Victor Harbor Council

Meeting Held 22/01/2024

From Mia Stocks

File Reference FM7.41.067

RECOMMENDATION

That Council endorse the Arts and Culture Grants Program Guidelines as provided at Attachment A.

INFORMATION

Purpose
The purpose of the report is to seek Council's endorsement of the guidelines for the Arts and Culture Grants Program.

Background
The Arts and Culture Grant Program was introduced in 2016. Over time, the program has progressively attracted larger requests for funding, and in response to the interest in the 2019/20 program, the grant pool was doubled. The table below summarises the response to the program over the past eight years:

Financial Year	Grant Pool	Response
2015/16	$5,000	6 applications received collectively seeking $3,167
2016/17	$5,000	9 applications received collectively seeking $8,640
2017/18	$5,000	10 applications received collectively seeking $8,537
2018/19	$5,300	10 applications received collectively seeking $11,583
2019/20	$10,000	7 applications received collectively seeking $9,580
2020/21	*$15,858	10 applications received collectively seeking $38,082
2021/22	$10,000	6 applications received collectively seeking $26,614
2022/23	$10,000	6 applications received collectively seeking $36,648

*The 2020/21 Arts and Culture Grants Program was offered over two rounds and utilised funds from the Festivals and Events Sponsorship Program budget.

Council has committed an allocation of $10,000 in the 2023/24 Annual Business Plan and Budget to support the Arts and Culture Grants Program.

Commentary
The proposed Arts and Culture Grant Program Guidelines are provided at Attachment A. These guidelines remain fundamentally the same as in previous years with the additional

inclusion of the assessment process within the document. The guidelines detail the purpose, targeted projects, the assessment process and administrative instruction relevant to the program.

It is anticipated that grant applications will open on 25 January 2024 and close on 29 February 2024, with the Advisory Group's recommendations presented to the Council for final decision at a subsequent meeting.

The Arts and Culture Grants Program will be advertised through the local media, Council's websites and social media platforms and broad email networks. Information will be provided to groups and individuals that have previously expressed an interest in applying for funding.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Reputation – With a limited funding pool the Arts and Culture Grants program will be competitive and hence it is possible that some applicants will express their disappointment. This risk has been reduced through the design of well-articulated funding guidelines. This risk is assessed as ***low***.

Legal and Compliance – There is a risk that grant recipients do not use the funds for the approved purpose. This risk is reduced as applicants are required to sign a Declaration and Undertaking declaring that they have read and understood the guidelines, and the information they have supplied is, to the best of their knowledge, accurate and complete. The Declaration and Undertaking also includes conditions relating to the use of grant funds and reporting requirements. Applications are assessed against criteria stated in the guidelines for the Arts and Culture Grants program. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 1 - We have a culture of innovation, collaboration and creativity.

- Strategy – Cultivate art and culture in our community.
- Priority – Encourage initiatives that actively celebrate and promote cultural understanding.

Other references used:

- **Culture Strategy – Arts and Heritage 2022 – 2027**
  Key Initiative 6. Support, Partnerships and Promotion
  Deliverables – Provide Arts and Culture, Community Grants and Youth Development Grants to support arts and 'cross industry' initiatives.

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in endorsing the guidelines.

There are sufficient funds allocated in the Cultural Services budget for the purposes of the 2024 Arts and Culture Grants Program.

No additional funds are required.

CONSULTATION

Director Community and Development – Graham Pathuis

Manager City Activation – Mark Przibilla

Arts and Culture Advisory Group

Attachment A

city of Victor Harbor

Arts and Culture Grants Program

Guidelines and Application Form

Art and Culture Grant Program Guidelines

Purpose

The City of Victor Harbor is committed to the cultivation of a vibrant community culture. One way in which the Council supports and facilitates arts and cultural activities is through the Art and Culture Grant Program.

Through this program, the City of Victor Harbor seeks to:

- Support and provide opportunities for arts and cultural organisations, groups, collectives and individuals to deliver innovative creative arts and cultural activities
- Increase community participation in arts and cultural activities
- Strengthen the identity and profile of the arts in Victor Harbor
- Facilitate activities that contribute to public spaces and/or promote cultural vitality, creativity, and connection within the city.
- Deliver the priorities and actions from the below Council strategies.

Relevant Endorsed Council Strategies

- City of Victor Harbor Community Plan 2030
- Culture Strategy – Arts and Heritage

Funding Pool and Key Dates

The program is released each financial year. The 2023/24 program opens on **25 January 2024** and closes on **5 April 2024** and has a total funding pool of $10,000.

Projects

There are three streams in which applicants can apply:

- **Art and Cultural New Project Grant**
  The New Project Grant will fund high-quality arts projects benefitting local artists, arts workers, audiences and communities. The focus of the project could include any area of creative practice, multiple artforms or cross-disciplinary practice.
- **Public Art Grant**
  The Public Art Grant will fund high-quality public art including a temporary art installation or mural.
- **Upskilling Grant (for ages 18-25)**
  The upskilling grant is available to support young and emerging artists and arts workers to participate in professional development opportunities that support their current arts practise. The grant is intended for those who wish to undertake a skills development opportunity. This grant may provide assistance with costs associated with undertaking professional development opportunities such as workshops, conferences and seminars. the applicant must first discuss their proposed upskilling opportunity with the Arts and Cultural Facilitator prior to applying.

Projects ineligible for funding through this Grant Program include:

- Projects for which there is a more appropriate alternate funding source
- Projects that have already commenced or reimbursement of money already spent
- Projects that are primarily for fundraising purposes
- Funding of ongoing operational costs (e.g. rent, salaries, maintenance, administration).

Applicants

The program will support the following applicants:

- Not-for-profit community groups or organisations that are based within Victor Harbor
- Not-for-profit community groups or organisations that are not based within Victor Harbor but whose proposed project will primarily impact upon residents in Victor Harbor
- Individual artist(s) who are residents of Victor Harbor
- Individual artists that are not based within Victor Harbor but whose proposed project will primarily impact upon residents in Victor Harbor
- Groups/organisations/individuals that have satisfactorily acquitted previous City of Victor Harbor grants.

Budget

The budget should include details on all income (all sources of funding which will be used to deliver the project) and expenditure (all costs involved in delivering the project). Income and expenditure must be equal. Please provide a copy of quotes with your application.

Assessment

The Art and Culture Grant Program is highly competitive, and the City of Victor Harbor can receive more funding applications than it can support. The success of an application is determined by its merits against the below assessment criteria and in competition with other applications received for this program. Applications that meet eligibility and assessment criteria are not guaranteed funding.

Innovative Arts Practice
The project will result in an innovative art practice that will build the art and cultural identity of Victor Harbor.
Cultivate a Vibrant Community Culture
The project will cultivate a vibrant community culture in Victor Harbor.
Impact on the Victor Harbor Community
The project has a clearly defined benefit and will contribute positively to the Victor Harbor community and will result in more people experiencing and participating in the arts.
Budget and Planning
Applicant has provided a clear budget and planning material to evidence that the project / activity has a realistic chance of success.

Preference

Preference will be given to projects that propose to:

- Utilise funding, either cash or in-kind, from additional sources i.e., sponsorship, donations, self-funding
- Procure from local suppliers where practicable or demonstrated that reasonable effort has been made to do so
- Support environmental sustainability
- Benefit the community.

Application procedure

To be considered for funding, applicants must submit the *Arts and Culture Grants Program Application Form* by the due date specified in these guidelines. The application form is appended to these guidelines and is available at the City of Victor Harbor's Civic Centre (1 Bay Road, Victor Harbor) or website www.victor.sa.gov.au/grants.

Applications will be assessed by the Arts and Culture Advisory Group, which is made up of two (2) Council Members and six (6) members of the local arts community, with the Advisory Group's recommendations then presented to the Council for final decision.

Assistance is available for people, who, because of a disability are unable to complete a written application form. Please contact the City of Victor Harbor for more information.

All applications must be submitted to the City of Victor Harbor via:

Email	localgov@victor.sa.gov.au
Post	PO Box 11, Victor Harbor SA 5211
In person	City of Victor Harbor Civic Centre Bay Rd, Victor Harbor SA 5211

Grant Acquittal

Successful applicants must complete and submit the *City of Victor Harbor Community Grants Acquittal* form no later than 2 months from the date of project completion. The Acquittal form must be accompanied by:

- A detailed evaluation of the project
- Images of the project including 1 or 2 high resolution images that could be used for media promotion
- A media release form to enable Council to use the images/evaluation to promote the grants program

Further information

Further information is available by contacting the City of Victor Harbor Arts and Cultural Facilitator on 8551 0500 or arts@victor.sa.gov.au

Arts and Culture Grants Program
Application Form

Applicant Details	
Name	
Group / Organisation Name (if applicable)	
Address	
Postal Address (if different)	
Telephone Number(s)	
Email	
Australian Business Number (ABN)	
Are you registered for GST?	
Is your group incorporated?	
When was your group established?	

Project	
Please note: your project must not have already started or be complete	
What project stream are you applying for?	**Tick Relevant**
Art and Cultural New Project	
Public Art	
Upskilling Grant (for ages 18-25)	
Project Title:	
Project Description i.e., what does the project involve and what is its purpose?	

Goals and evaluation: Outline the key goals of the project and advise how you intend to evaluate these goals.
Sustainability: How does the project support environmental sustainability and a circular economy?
Upskilling - If the project supports upskilling/professional development for an individual, please describe how the applicant will share their work and/or learnings with the community of Victor Harbor.
Upskilling - If the project supports upskilling/professional development for an individual please advise how long the applicant has been involved in their current arts practise and provide example of previous works.
Public art - If the project is for a public art piece, please describe how it is relevant and appropriate to the context of the proposed site, links thematically to the region and doesn't duplicate existing monuments commemorating the same or similar events.

Budget Information
• Section A and B should be equal. • Applicants must provide written quotes for all costs as part of your application. • Applicants must match Council's funding with either cash or in-kind contributions.

Project Cost - Section A		Project Revenue - Section B	
Item	**Amount**	**Item**	**Amount**
		Amount of Grant Requested	
		Amount of in- kind*	
		Your financial contribution	
		Your in-kind contribution**	
		Detail other contributions below:	
Total Project Cost (A) - incl GST		**Total Project Revenue (B) - incl GST**	

*Please be aware that Council accounts for all expenses whether cash or in-kind, please itemise requested items including costs where known. i.e. room hire fees

Include all costs as per Council's Fees & Charges Schedule *Refer to Council's Fees & Charges available on www.victor.sa.gov.au* or contact the City of Victor Harbor Project Officer on (08) 8551 0558.

**These are things that assist with the project that are provided free of charge when one would ordinarily need to pay for them. e.g. volunteer hours (list number of hours), materials, advertising that you don't need to pay for, a venue free of charge etc.

Key Project Dates		
Milestone	**Expected Commencement**	**Expected completion**

Checklist		
This section must be complete to be eligible. Please complete to provide information about your eligibility. You may not be able to answer all questions until you have completed the application form.		
All projects / applicants		
Has your project/s commenced or already been completed?	Yes	
Is your project able to continue with partial funding?	Yes	
Does the applicant have current Public Liability Insurance (minimum of $20 million) that covers the program/activity being undertaken?	Yes	
Has the applicant satisfactorily acquitted all previous funding with Council?	Yes	
Have you provided quotes to justify the amount requested from Council?	Yes	
Public Art - If proposing to install/erect/create public art in an area that is privately or publicly owned:		
Do you have permission from the owner to undertake proposed works? Evidence is required if the applicant is not the owner.	Yes	
Have you sought advice on the need to obtain Development Approval from Council?	Yes	
Upskilling – if seeking funding through the upskilling stream:		
Has the applicant provided evidence that the professional development is support their current arts practise?		

Agreeing to the Terms and Conditions of the Grant Funding
These conditions are: • Use the funds provided for the approved project • Fully expended the funds within the stated period, except with prior approval of the Council • For public art projects - Obtain any required development consent and/or building approvals and/or permission from the land/property owner or regulatory bodies or organisations (if applicable) before commencing the project • Return unexpended grant monies to the Council. • Seek Council's written approval to continue with the project if there is any change in the project. • Acknowledge the City of Victor Harbor support in any material published in connection with a successful grant through this program • Complete the acquittal process within three months of the project completion and forward a copy to: localgov@victor.sa.gov.au. • Pay all taxes, duties, and government charges in connection with the grant • Obtain all necessary insurances and that the City of Victor Harbor will not be held liable for any matter arising out of this grant.

Declaration	
I certify to the best of my knowledge that the details provided are true and correct. I have read the City of Victor Harbor Arts and Culture Grant Program guidelines. I am authorised to sign on behalf of the group/business applying under the Arts and Culture Grants Program and agree to abide by all associated terms and conditions if the application is successful.	
Project Title:	
Business/Group Name:	
Name	
Signature	
Date	

11. CORPORATE AND CUSTOMER SERVICES

Nil

12. ENVIRONMENT AND INFRASTRUCTURE

12.1 Draft Urban Stormwater Management Plan - Community Engagement Summary

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Jodi Roberts
File Reference	INFR14.65.008

RECOMMENDATION

1. That Council receive and note the Community Engagement Summary for the draft Urban Stormwater Management Plan.

2. That Council Authorise the CEO to make minor amendments to the draft Urban Stormwater Management Plan to address any comments received from the final review by the Landscapes Hills and Fleurieu or the Stormwater Management Authority. Subject to these minor amendments, that Council approves the draft Urban Stormwater Management Plan for submission to the Stormwater Management Authority for its endorsement.

3. That the endorsed Urban Stormwater Management Plan be made available on Council's website and shared with relevant government agencies to assist with planning and emergency management.

4. That Council endorse the SES facilitation of storm and flood awareness education for the community.

INFORMATION

Purpose
The purpose of this report is to present the Community Engagement Summary for the draft Urban Stormwater Management Plan to Council, and for Council to approve the draft Urban Stormwater Management Plan for submission to the Stormwater Management Authority for endorsement.

Background
Council, with funding from the Stormwater Management Authority, has prepared a draft Stormwater Management Plan (the Plan) for the Victor Harbor urban area in partnership with a consultant team led by Southfront.

At the Ordinary Council Meeting on 25 February 2021, Council endorsed proceeding to the first stage of Public Consultation for the Plan as follows:

OC722021 Moved: Cr Carol Schofield
Seconded: Cr Andrew Robertson

1. That Council receive and note the Stormwater Management Plan Stakeholder Consultation report.
2. That Council proceed to public consultation guide by Attachment A to inform the development of the Stormwater Management Plan.

CARRIED

After the initial consultation was complete, the development of the Plan commenced considering the feedback from community and stakeholders. Work was put on hold in September 2021 while the Attorney General's Department was developing updated flood mapping for the Victor Harbor area as part of the statewide Flood Hazard Mapping project. Following the completion of this body of work, progress on the Plan resumed in January 2023.

At the Ordinary Council Meeting on 23 October 2023, Council endorsed proceeding to the second stage of Public Consultation for the Plan as follows:

OC3722023 Moved: Cr Michael Quinton
Seconded: Cr Carlos Quaremba

That Council proceed to stage 2 of public consultation on the draft Urban Stormwater Management Plan in line with the Community Engagement Plan, commencing 31 October 2023 and concluding 21 November 2023.

CARRIED UNANIMOUSLY

Commentary
The Plan for the Victor Harbor urban catchments has been prepared in accordance with the requirements of the Stormwater Management Planning Guidelines (Stormwater Management Authority, 2007).

The Plan provides greater clarity to the extent of the stormwater management related issues in the area. The Plan will also guide Council's decision-making processes to better manage flood risk, water quality, stormwater detention/retention and development in the area.

The Plan has been developed primarily in consultation with Council Staff, with external stakeholders from relevant State Government Authorities providing input into the objectives, targets and preferred management responses.

A copy of the draft Plan was workshopped with Council Members at a briefing session held 18 September 2023.

Stage 2 of public consultation was undertaken on the Plan from 31 October 2023 to 21 November 2023, the Community Engagement Summary for draft Urban Stormwater Management Plan is provided at Attachment A. The feedback from the community did not require any changes to the Plan, a copy of the draft Plan is provided under separate cover due to size.

If the Plan is approved by Council, it will be presented to the Landscapes Hills and Fleurieu Board Meeting on 17 April 2024 for endorsement. This endorsement would then be presented to the Stormwater Management Authority Board meeting of 15 May 2024 for final endorsement.

Following final endorsement, the Urban Stormwater Management Plan will be shared publicly on the Stormwater Management Authority and Council websites and promoted through Council's social media and newsletter Victor Viewpoint.

Upon completion of the 2019 Victor Harbor Watercourse Floodplain Mapping Study, Council endorsed the release of the Flood Plain Mapping to the local emergency services and appropriate government agencies. It is recommended that this is also undertaken for the endorsed Urban Stormwater Management Plan.

Council previously considered facilitation of workshops to educate the community on the risk of flooding. As the lead agency, the South Australian State Emergency Service (SES) should remain the main source of information for storm and flood preparation, advice, and up-to-date information. The links to the SES information are available on Council's website. Administration is working with SES to deliver a community storm and flood awareness education session once the Plan is endorsed.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – Proceeding to public consultation on the draft documents will allow Council to consider feedback prior to adoption as required by legislation. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 - We are a financially sustainable and well-governed organisation

- Strategy – Engage and involve our community in decision making

Other references used:

- City of Victor Harbor – Public Consultation Policy

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in receiving and noting the Community Engagement, submission of the draft report to the Stormwater Management Authority for their endorsement and the SES community storm and floor

awareness sessions.

No additional funds are required.

CONSULTATION

Acting Manager Engineering and Infrastructure – Dustin Georgeson

Southfront – Bonnie Heidrich (Senior Engineer – Integrated Water Lead)

Attachment A

city of Victor Harbor

Community Engagement Summary

Draft Urban Stormwater Management Plan

January 2024

Community Engagement Summary:
Draft Urban Stormwater Management Plan

Introduction

The purpose of this report is to provide details of the second stage of community consultation undertaken in relation to Council's draft Urban Stormwater Management Plan. This report outlines a summary of the consultation activities that were undertaken and the feedback gathered during the engagement period.

Background

In partnership with a consultant team led by Southfront, the City of Victor Harbor has prepared a draft Urban Stormwater Management Plan for the Victor Harbor urban area.

The draft Plan provides greater clarity to the extent of the stormwater management related issues in our area. The Plan will also guide Council's decision-making processes to better manage flood risk, water quality, stormwater detention/retention and development.

In April 2021, the community was invited to share information about stormwater-related issues and concerns in the Victor Harbor urban area. These details helped to inform the draft Plan.

Between 2021 and 2023, the Attorney General's Department developed updated flood mapping for the Victor Harbor area as part of the state-wide Flood Hazard Mapping Project.

Once this information was received by Council, the draft Plan was presented to the community for comment in November 2023.

Consultation Methodology

The community consultation period ran from 31 October 2023 until 21 November 2023. The City of Victor Harbor primarily collected the views of the community through a survey.

The opportunity for residents and ratepayers to have a say was promoted in the following ways:

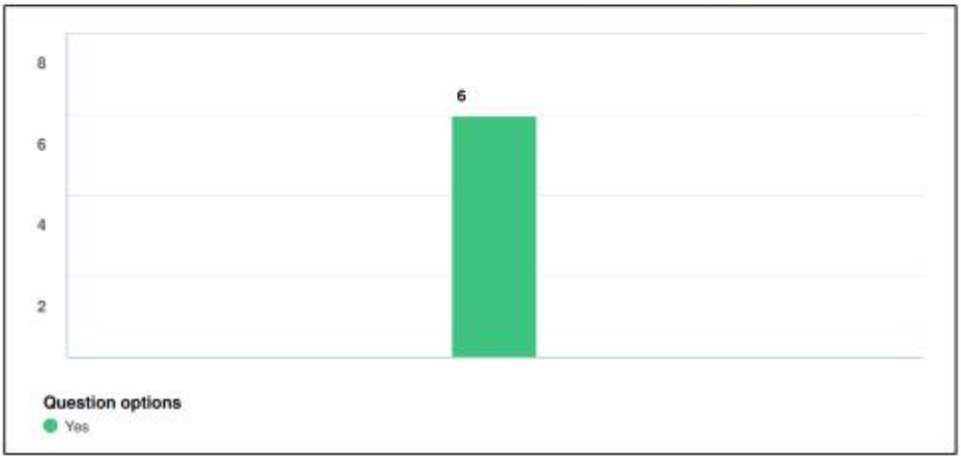
- **Public Notice in The Times** – 31 October 2023
- **Direct email to Your Say database** – 1 November 2023 (54% open rate)
- **Social media** - 7 November, 14 November 2023 (total reach of 2,000 across all channels)
- **Victor Viewpoint newsletter** – 10 November 2023 (57% open rate)
- **Radio interviews**
  - **Happy FM** – 3 November 2023
  - **Fleurieu FM** – 10 November 2023
- **Websites**
  - **Victor.sa.gov.au –** (58 views on news item)
  - **Yoursay.victor.sa.gov.au** (134 page views, 61 document downloads)
- **Displays in the Civic Centre**

Community Feedback

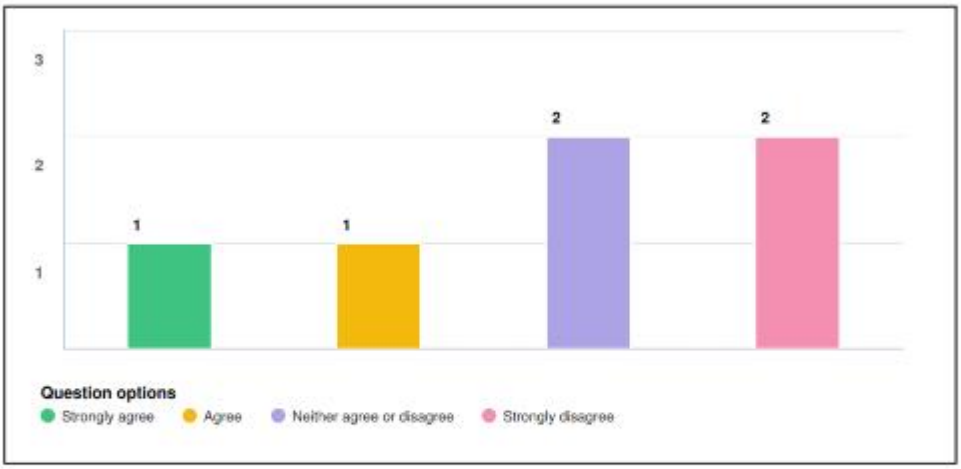
Survey Responses

A total of six surveys were submitted during the consultation period. The following provides a summary of the responses received.

Q1. ***Have you reviewed the draft Urban Stormwater Management Plan (the draft Plan)?***



Q2. ***Do you feel confident that the draft Plan addresses issues relating to stormwater management in the Victor Harbor urban area?***



Q3. *Please explain.*

Survey Comments	Officer Commentary
The open creek section of our property at 28 Cornhill Rd needs to be left alone. We do not want to see the water diverted away from our property it is an integral feature of it and the entire streetscape and poses no risk to properties below it	Not all water would be diverted away from the open drain. Water collected upstream of the proposed stormwater drains would continue to flow through the existing open drain. The proposed stormwater drain would supplement the open channel and increase the flood protection of the surrounding houses.
A lot of detail in this report.	Noted
Waggon & Yalladoola road, stormwater plan?	The focus of this study has been the management of the underground stormwater network. A stormwater network is a system of numerous connected pipes or culverts that work together to route water safely to a discharge point. As there are no networks of pipe along Waggon or Yalla-Doola Road these roads have not been included within the plan.

Q4. *Is there anything that you think has not been addressed in the draft Plan?*

Survey Comments	Officer Commentary
Inappropriate approval of housing on floodplains has caused an Increase in drainage/ flooding problems. Please stop all future development on flood plains, and create new flood plains for future development so that stormwater is naturally filtered before entering the sea naturally. **For example in the 1970's the few houses on the western side of Russell St, Enc Bay were built on stilts. Hope St etc were not there because it was a natural flood plain. Now cheap blocks and inappropriate slab houses have been allowed to be built on this land. STOP doing this!** The beach at Encounter Bay historically has had waist height sea grass covering the beach, predominantly out the front of Yilki store. Where is it now? This seaweed used to protect the Dan, now we have erosion instead. My natural conclusion is the seaweed had died off due to excessive unfiltered stormwater entering the sea. STOP NOW PLEASE.	As seen in Figure 1.3, large areas of Victor Harbor and Encounter Bay are developed on low lying land/plains. The intent of the Plan is to set floor levels for new development to provide flood protection. The 2021 Coastal Adaptation Study and Strategy provides commentary on sea grass in Encounter Bay. The Plan identifies reuse of stormwater as a resource, through the implementation of Water Sensitive Urban Design. This type of infrastructure, such as rain gardens and, are already being implemented in projects and will reduce the discharge of stormwater along our coastal areas.
The impact of rising sea levels on storm water discharge to sea	The impact of sea level rise is included in model scenarios B and C as detailed in Section 1.8 Climate Change.

Yalladoola road. No stormwater infrastructure, as of present.	This study has focussed on the underground stormwater network, and has been completed on a large, high level scale. For individual streets with localised drainage issues, independent higher resolution studies will be required to address infrastructure needs.

Q5. ***Do you have any other feedback in relation to the draft Plan?***

Survey Comments	Officer Commentary
The open creek section of our property at 28 Cornhill Rd needs to be left alone. We do not want to see the water diverted away from our property it is an integral feature of it and the entire streetscape and poses no risk to properties below it	Not all water would be diverted away from the open drain. Water collected upstream of the proposed stormwater drains would continue to flow through the existing open drain. The proposed stormwater drain would supplement the open channel and increase the flood protection of the surrounding houses.
The inclusion of Waggon and Yalladoola Road into the plan.	The focus of this study has been the management of the underground stormwater network. A stormwater network is a system of numerous connected pipes or culverts that work together to route water safely to a discharge point. As there are no networks of pipe along Waggon or Yalla-Doola Road these roads have not been included within the plan. For individual streets with localised drainage issues, independent higher resolution studies will be required to address infrastructure needs.

Q6. *What best describes you?*



Conclusion

The consultation process has proven valuable for understanding community sentiment about Council's draft Urban Stormwater Management Plan and providing community members with an opportunity to review the draft Plan.

Following final endorsement, by the Stormwater Management Authority (SMA), the Urban Stormwater Management Plan will be shared publicly on the SMA and Council's websites.

12.2 Speed Limit Review - Ocean Road, Hayborough

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Jodi Roberts
File Reference	TM20.71.017

RECOMMENDATION

1. That Council support a speed limit reduction from 60km/h to 50km/h along the full length of Ocean Road, Hayborough.

2. That Council Administration liaise with the Department for Infrastructure and Transport to request a formal speed limit review process be undertaken.

3. That Council endorse any changes to the speed limit signage as guided by the Department for Infrastructure and Transport.

INFORMATION

Purpose
The purpose of this report is for Council to consider a request to reduce the speed limit along the full length of Ocean Road, Hayborough from 60km/h to 50/km hour.

Background
Administration received a request to reduce the speed limit along the full length of Ocean Road, Hayborough from 60km/h to 50km/h. A copy of the request is provided at Attachment A.

Speed limits in South Australia are set by the Department for Infrastructure and Transport (DIT) and only DIT has the delegated authority to approve a speed limit change. DIT determine and apply speed limits in accordance with the requirements and criteria set out in the Speed Limit Guideline for South Australia. The Guideline is based on AS 1742 *Manual of uniform traffic control devices Part 4-2008: Speed controls*.

The fundamental principle in setting speed limits for a particular length of road is that the speed limit should reflect the road safety risk to the road users while maintaining the ability of people to easily get to their destination.

Road users are more likely to comply with a speed limit if it is consistent with limits on other roads in the network with similar characteristics, and in general reflects the factors that most influence speed choice. The level of roadside development is an important factor in the determination of an appropriate speed limit.

Best practice indicates road environments should provide a range of visual cues for motorists, in addition to speed limit signs, which encourage them to drive at safe speeds.

Speed limits are set having regard to factors including abutting roadside development, which is indicative of the likely level of road user activity on and near a road and is a most important aspect to be considered in the determination of speed zones.

A speed limit that is consistent with the road environment encourages driver compliance.

Commentary
The applicant has lived on Ocean Road, Hayborough for 47 years. The applicant has concerns that the level of development in the area has impacted on the safety of accessing their property throughout the day. Ocean Road connects Port Elliot Road and Waterport Road, it is used to access the residential and retirement developments, Fleurieu Aquatic Centre, and Lincon Park Industrial Area. The speed limit on Ocean Road has not been reviewed since the development along Ocean Road.

In consideration of the above, it is recommended that Council support a speed reduction from 60km/h to 50km/h, the default urban speed limit, along the full length of Ocean Road, and request DIT undertake the required review process to determine whether the speed limit reduction is warranted.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Employee and Public Safety – Ocean Road is a collector road that provides connectivity between Waterport Road and Port Elliot Road, as such, the default 50km/h urban speed limit should apply. Given the traffic demand of Ocean Road, it presents a risk to public safety to retain the speed limit above the default for this environment. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 5 - We have services and infrastructure that meet our community's needs.

- Priority – Create and maintain safe road and footpath networks

Other references used:

- Speed Limit Guideline for South Australia

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in the change of speed limit on Ocean Road. The upgrade to the signage will be captured within the existing operating budget.

No additional funds are required.

CONSULTATION

Acting Manager Engineering and Infrastructure – Dustin Georgeson

Attachment A

City of Victor Harbor

APPLICATION FOR SPEED LIMIT REVIEW

Road Name(s): Ocean Road. Hayborough.

(Please provide a plan showing site if applicable)

Applicant's Name: Rosemary & George Maslin.

Organisation *(if applicable)*:

Postal Address: [redacted]

Contact Phone:

Email Address: [redacted]

1. TYPE OF REQUEST

☑ Speed Limit Review

☑ Suggested Speed Limit Zone from 60 kms to 50. kms

2. REQUEST DETAILS

(Please detail evidence/reasons for the request to assist in the review process)

and also speed restrictors implemented along Ocean Road to Deter Speeding and Heavy vehicles using it as a shortcut.

We are very concerned at the speed limit of 60kph. on Ocean Road. The amount of traffic using this road has increased dramatically over the years and especially in recent years with the Aquatic Centre located at one end and the housing developement that has occured in is still occuring with access/exit roads onto Ocean Road. Within approx 250 metres either side of our home we have 5 roads entering/exiting Ocean Road. Now with the 11 retirement homes to be built opposite us to complete the housing in the Chiton Retirement village there will be another exit road directly opposite us. We feel reducing the speed will help with us backing out our drive way onto a busy road and trying to watch side roads as well. Ocean Road is a through Road and is used by non residents of the area which increases the traffic. We have already had near misses due to speed not only from those on Ocean Road but also turning onto Ocean Road from the roads near us.

Application for Speed Limit Review

3. THE REVIEW PROCESS

Speed limits and/or signage, throughout the City of Victor Harbor, are set and positioned in accordance with the Australian Road Standard 1742.4, Speed Controls (AS1742.4).

Requests for the review of a current speed limit and/or sign location, for roads managed and maintained by the City of Victor Harbor, are subject to the following procedure.

1) Complete **Application for Speed Limit Review** and submit to the City of Victor Harbor.

2) The Director of Environment and Infrastructure (or delegate) will inspect the location, with reference to the details within the **Application for Speed Limit Review** and related road standard documentation.

3) If the Director of Environment and Infrastructure's (or delegate) assessment highlights a need for further investigation, their recommendations are forwarded to the SA Government Department for Infrastructure and Transport (DIT).

4) The Department for Infrastructure and Transport (DIT) review the City of Victor Harbor's Director of the Environment and Infrastructure (or delegate) recommendations, noting that DIT has the delegated authority to approve all speed zone changes.

5) The Department for Infrastructure and Transport (DIT) notify the City of Victor Harbor of the outcome and any action required. *(Please allow 4-6 months, from lodgement of this request, for resulting action).*

NB: Main arterial roads that travel through the City of Victor Harbor are owned and managed by the Department for Infrastructure and Transport (DIT). These roads are:

Adelaide Road-Victor Harbor Road	Hindmarsh Road
Torrens Street	Victoria Street
George Main Road	Inman Valley-Yankalilla Road
Hindmarsh Tiers Road	

To request a speed limit or signage review on these roads contact DIT on 1300 872 677.

4. ACKNOWLEDGEMENT

I have read and understand the above information and have given true and correct details to support this application to review speed limits. I also understand that the completion of the form is an application and may not result in subsequent action.

Signature

11/01/2024.
Date

Office Use: *Synergy Out No#:* _____ *Synergy In No#* _____

Review Date: _____

Recommendations:

_____

_____

_____

Council Meeting Date: _____ Endorsed: Yes ☐ No ☐

DIT Outcome: _____

Works Request No: _____

Works Request Completed: _____

13. MINUTES OF COUNCIL COMMITTEE MEETINGS

13.1 Disability Access and Inclusion Advisory Committee minutes - 7 December 2023

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Leann Symonds
File Reference	GOV9.14.034

RECOMMENDATION

That Council receive and note the minutes of the Disability Access and Inclusion Advisory Committee meeting held 7 December 2023 as provided at Attachment A.

INFORMATION

Purpose
The purpose of this report is to present the minutes of the Disability Access and Inclusion Advisory Committee (the Committee) meeting held Thursday, 7 December 2023.

Background
The Committee is constituted pursuant to Section 41 of the *Local Government Act 1999* and was established for the purpose of assisting Council in enabling people with a disability to engage in all aspects of community life, and have equitable access to goods, services and facilities.

Commentary
The Committee held a meeting on Thursday, 7 December 2023, whereby the Committee Members considered a number of reports, which were received and noted by the Committee.

A copy of the minutes of the meeting held on Thursday, 7 December 2023 is provided at Attachment A.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance - The minutes were prepared and distributed to members in line with the legislative requirements. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 – We are a financially sustainable and well-governed organisation

Other references used:

- Local Government Act 1999
  Section 41 – Committee

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in the preparation or making a decision of the recommendations presented within this report.

No additional funds are required.

CONSULTATION

Disability Access and Inclusion Advisory Committee Members

Attachment A

MINUTES

Committee	Disability Access and Inclusion Advisory Committee
Meeting Held	7 December 2023 at 1:00 pm
Location	Council Chambers, 1 Bay Road, Victor Harbor

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1. PRESENT

Cr Angela Schiller – Chair
Cr Marilyn Henderson
Kay Reeves
Kerry Taylor
Joanne Russell
Kathryn Roberts

In Attendance
Leann Symonds – Manager Community Services
Scott Champion – Land Development Infrastructure Officer

2. ACKNOWLEDGEMENT OF COUNTRY AND DIVERSITY COMMITMENT

The City of Victor Harbor acknowledges the Ramindjeri and Ngarrindjeri people, the Traditional Custodians of the land and surrounding waters where we live and work. We acknowledge their deep connection to Country and pay our respects to Elders past, present and emerging. This respect is extended to Aboriginal and Torres Strait Islander people across Australia.

The City of Victor Harbor is committed to diversity, equity and inclusion. We respect people of all ages, abilities, genders, sexualities, beliefs, religions, cultures and backgrounds.

3. APOLOGIES

Emiko Atermis
Judith Leek
Jodi Roberts
Donna Brook

4. MINUTES OF THE PREVIOUS MEETING

4.1 Minutes of the Previous Meeting – 5 October 2023

DAC172023 Moved: Kathryn Roberts
Seconded: Cr Marilyn Henderson

That the Disability Access and Inclusion Committee endorse the minutes of the previous meeting held 5 October as a true and accurate record of the meeting.

CARRIED

City of Victor Harbor

5. BUSINESS ARISING

5.1 Business Arising and Action List

DAC182023 Moved: Cr Marilyn Henderson
Seconded: Kathryn Roberts

That the business arising and action list for the meeting of the Disability Access and Inclusion Advisory Committee held 7 December 2023 be received.

CARRIED

The following table contains actions and status of items from previous meetings:

Item No	Meeting Date	Action/Task	Responsible Person	Status
1	Ongoing	Committee to develop a list of areas of concern to be prioritised utilising the 2022/2023 budget	Members J Roberts	Ongoing Committee can put forward areas of concern for the 2023/24 Works plan as the budget has been adopted. Jodi to raise a work's order in relation to pavement outside The Anchorage
2	04/03/2021	Committee requested that the installation of accessible car parking at the Victor Harbor Dog Park entrance be added for future budget consideration, as it is well-used and enjoyed facility however is difficult for users with a mobility impairment to access.	J Roberts	Ongoing The land behind the Police Station (lot 202) has now been purchased by Council and the potential for new access to the dog park is being considered. Concept plans and consultations will begin in the new financial year. Council have endorsed progression on the Sport and Rec Precinct and this will go out to market

City of Victor Harbor

				soon.
3	09/09/2021	Inspect Acraman Street / Seaview Road intersection pram ramps - Committee member advised the pram ramps at this intersection don't line up - staff will inspect as part of the 2021/22 pram ramp inspections. The findings from the traffic study relating to the ramps can be implemented under the CBD accessible corridors program – the study is marked for completion this Financial Year. We can provide a map at the next DAC meeting to mark up, this information can be provided to the consultant undertaking the traffic study. Consultant James Arnold from Tonkin Consultants joined online to discuss areas to be considered with the Committee.	M Smith	Design in progress.
4	8/06/2023	Victor Harbor CBD Access guide	L Symonds	Brochure to be updated Ongoing
5	8/06/2023	Disability Toilet – Staff to investigate an audit of public conveniences.	J Roberts	Ongoing Will be added to next financial year program
6	06/04/2023	Disability Access and Inclusion Plan 2020-2024 Item 3.8 Audit of Council signage for inclusion and access for all: provide communication boards for playgrounds.	J Roberts L Symonds	Leann has emailed Two Way Street for Information on Picture Boards. Moved: K Reeves Seconded K Roberts That Council begin the

City of Victor Harbor

				process of engaging TwoWay Street to develop Communication Boards and investigate suitable sites. Carried Leann investigated and will now await the results of a ILC grant.
7	08/06/2023	Ramp upgrade and Restricted Access walk areas have been highlighted at the Aquatic Centre Walking Track	S Champion	This is with the Fleurieu Regional Aquatic Centre Board and awaiting comment.
8	08/06/2023	Beach Ramps	A Comas	Beach Matting is being rolled out for summer, Andrew Comas has contacted Shane Hyorec for information on the best way to secure. Complete There is some matting still available and Andrew Comas suggest John Crompton Reserve would be a good site.
9	05/10/2023	Fully fenced playgrounds	J Roberts	Committee requested information about fencing playground, in particular Starfish, GT Fischer and Encounter Lakes. Jodi to investigate.
10	05/10/2023	Inclusion at The Aquatic Centre	Cr Schiller	Difficulties with inclusion, access to the pool and companion cards raised by the Committee. K Roberts to email Cr Schiller with her concerns and it will be raised at the next

City of Victor Harbor

				Board Meeting.
11	5/10/2023	Purple Orange Accessible Events Training	L Symonds	Leann has contacted Purple Orange to organise the training.
12	5/10/2023	Emergency Preparation Planning	J Roberts	Jodi to raise at the Zone management Meeting

6. GENERAL BUSINESS

6.1 Disability Access and Inclusion Plan Update

DAC192023 Moved: Kay Reeves
Seconded: Cr Marilyn Henderson

That the Disability Access and Inclusion Advisory Committee receive the report on the Disability Access and Inclusion Plan update.

CARRIED

7. OTHER BUSINESS

7.1 Leann advised that the developer of the Victor Harbor Health Hub, Leyton Property, has commissioned an access and movement audit of the building to identify further enhancements beyond the code requirements. The building currently meets the code requirements, however the developer is looking to go above and beyond. A draft of the audit will be provided next week.

7.2 Leann annouced Cathy Walsh has resigned from the Committee.

7.3 Kathryn announced that the NDIS and QNS have released new packs in braille and would the packs to be displayed in the library.

7.4 Cr Schiller provided an overview of a motion that was put to Council regarding padestrian access over Adelaide Road and at Coles and Bunnings. Council has contacted the Department of Infrastructure and Transport and SA Health, as the new ambulance station location will be on Adelaide Road, to achieve a safe crossing point over Adelaide Road.

8. CONFIDENTIAL ITEMS

Nil

City of Victor Harbor

9. NEXT MEETING

Thursday, 1 February 2023

10. CLOSURE

Chair Cr Schiller closed the meeting at 1:38pm

13.2 Southern Commmunities Transport Scheme Advisory Committee minutes - 20 December 2023

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Leann Symonds
File Reference	GOV9.14.022

RECOMMENDATION

That Council receive and note the minutes of the Southern Communities Transport Scheme Advisory Committee held 20 December 2023 as provided at Attachment A.

INFORMATION

Purpose
The purpose of this report is to present the minutes of the Southern Communities Transport Scheme Advisory Committee (the Committee) held 20 December 2023.

Background
Section 12.1 of the Terms of Reference for the Committee states that the Committee shall supply to the Council a copy of all Committee minutes pursuant to clause 6.4, for the endorsement of Council.

The Southern Communities Transport Scheme Advisory Committee has been operating as a partnership between the City of Victor Harbor and Alexandrina Council since 1992. The Committee is a formalised partnership between the City of Victor Harbor and Alexandrina Council for the operation of the Southern Communities Transport Scheme

Commentary
A copy of the minutes of the meeting of the Southern Communities Transport Scheme Advisory Committee held 20 December 2023, are provided at Attachment A. The minutes have been distributed to Committee members.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – Preparation and reporting of Committee minutes is managed through routine activities and processes in accordance with statutory requirements. This risk is assessed as ***low.***

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 5 - We have services and infrastructure that meet our community's needs

- Strategy – Facilitate access to health, education, and community services.
- Priority – Provide the Southern Communities Transport Scheme (SCOTS) to assist transport disadvantaged people to access medical and other essential appointments.

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications from receiving the minutes of the meeting of the Southern Communities Transport Scheme Advisory Committee held 20 December 2023.

No additional funds are required.

CONSULTATION

Southern Communities Transport Scheme Advisory Committee Members

Coordinator Southern Communities Transport Scheme – Laura Lewis

Attachment A

MINUTES

Committee	Southern Communities Transport Scheme Advisory Committee
Meeting Held	20 December 2023 at 10:00am
Location	Encounter Room, 1 Bay Road, Victor Harbor

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1. PRESENT

Cr Lou Nicholson
Dr Marilyn Henderson (Chair)
Robert McFarland
Colin Howard
Robert Hall
Liz Graham
Anna Schmidt
Leann Symonds

In Attendance
Laura Lewis

2. ACKNOWLEDGEMENT OF COUNTRY

The City of Victor Harbor acknowledges the Ramindjeri and Ngarrindjeri people, the Traditional Custodians of the land and surrounding waters where we live and work. We acknowledge their deep connection to Country and pay our respects to Elders past, present and emerging. This respect is extended to Aboriginal and Torres Strait Islander people across Australia.

Diversity Commitment
The City of Victor Harbor is committed to diversity, equity and inclusion. We respect people of all ages, abilities, genders, sexualities, beliefs, religions, cultures and backgrounds.

3. APOLOGIES

Mayor Moira Jenkins
Cr Margaret Gardner

City of Victor Harbor

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Minutes of the Previous Meeting - 16 August 2023

SCT222023 Moved: R Hall
Seconded: L Graham

That the minutes of the Southern Communities Transport Scheme Advisory Committee held Wednesday, 16 August 2023 be confirmed as true and accurate.

CARRIED

5. BUSINESS ARISING

5.1 Business Arising and Action List

SCT232023 Moved: L Graham
Seconded: C Howard

That the business arising and action list for the Southern Communities Transport Scheme Advisory Committee meeting held 20 December 2023 be received.

CARRIED

Meeting Date	Item No.	Action/Update	Status
15/06/2022	6.1	**Vehicle Status and Service Updates**	Ongoing – Laura to report
16/08/2023	6.1	**Client Contributions**	Endorsed at the Ordinary Council meeting of the City of Victor Harbor 28/8/2023. Completed
20/09/2023		**MOU**	Completed

6. GENERAL BUSINESS

6.1 Community Passenger Network Program Guidelines and Performance Review

SCT242023 Moved: L Graham
Seconded: R Mcfarland

City of Victor Harbor

That the Southern Communities Transport Scheme Advisory Committee receive the report on the Community Passenger Network Program and Performance Report.

CARRIED

7. RECURRING REPORTS

7.1 Financial Report

SCT252023 Moved: L Graham
Seconded: R Hall

That the Southern Communities Transport Scheme Advisory Committee receive and note the financial report for the period ending 7 December 2023.

CARRIED

L Symonds to send a copy of the finance report to Members once the December Budget Review is completed.

7.2 Statistical and Brokerage Reports

SCT262023 Moved: C Howard
Seconded: L Graham

1. That the Southern Communities Transport Scheme Advisory Committee receive and note the statistical and brokerage reports for the Southern Communities Transport Scheme (SCOTS CHSP and SCOTS CPN) for the period of 1 July to 31 August 2023.

2. That the Southern Communities Transport Scheme Advisory Committee receive and note the statistical and brokerage reports for the Southern Communities Transport Scheme (SCOTS CHSP and SCOTS CPN) for the period of 1 September to 31 October 2023.

CARRIED

8. ANY OTHER BUSINESS

Staff to investigate recognition opportunities for recognising years of service of volunteers. In particular, the naming of vehicles.

9. NEXT MEETING

10am Wednesday, 21 February 2024 in the Encounter Room, 1 Bay Road Victor Harbor.

City of Victor Harbor

10. CLOSURE

The chair closed the meeting at 11.07am.

Signed: _____ Date: _____

14. SUBSIDIARIES AND REPRESENTATIVE REPORTS

14.1 Mayoral Report - October to December 2023

Committee Victor Harbor Council

Meeting Held 22/01/2024

From Bridget Perre

File Reference GOV9.5.052

RECOMMENDATION

That Council receive and note the Mayoral Report for period October to December 2023.

Purpose
The purpose of this report is to provide an update to Council in relation to Mayoral appointments for the period of October through to December 2023.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – Preparation and reporting for the endorsement of the Mayoral Report can be managed through routine activities and have a negligible impact. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 – We are a financially sustainable and well–governed organisation

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications from preparation of this report or receipt of the Mayoral Report.

No additional funds are required.

CONSULTATION

Mayor Moira Jenkins

Mayoral Report

Information

The following is a listing of functions and meetings at which the Mayor represented Council for the period October – December 2023

October 2023	Activity
3/10	Information and Briefing Session
4/10	South Australian Regional Organisation of Councils LGA
	Annual Business Plan Workshop
5/10	Constituent Meeting
	Constituent Meeting
	Disability Access and Inclusion Meeting
	Encounter Bay Football Club Meeting
	Rotary Club of Encounter Bay
6/10	Cancer Council Morning Tea
7/10	Port Elliot Show – 2023 Official Opening
9/10	Information and Briefing Session
10/10	CEO & Mayor Weekly meeting
27/10	Giving the Gift of Reading – Victor Harbor Library
	Christmas Appeal Photo
30/10	Information and Briefing Session
31/10	Mandatory Training

November 2023	Activity
1/11	Fleurieu Sun Meeting
	Compassionate Conversation Morning Tea – Palliative Care
3/11	Business Victor Harbor Monthly Meeting
	Happy FM Radio Interview
5/11	Zonta Club of Fleurieu Peninsula Garden Spectacular
	Save the Bluff Gathering
6/11	LGA Committee Meeting
	Audit Committee Meeting
	Mandatory Training – Council Leadership Workshop
7/11	SA Public Health Council Meeting -
8/11	Bridge Terrace – Dog By-Laws
	Choir at Old School House
9/11	Constituent Meeting
	Regional Showcase Awards Celebrations – McLaren Vale
10/11	Fleurieu FM Interview

13/11	Regional University Study Hub Information and Briefing Session
14/11	Fleurieu Regional Community Services Advisory Committee - Yankalilla Southern Fleurieu Health Advisory Council Meeting
15/11	Mayor & Deputy Mayor Monthly Meeting Community Information Forum on VAD in Port Elliot
16/11	South Australian Regional Organisation of Councils LGA Committee Meeting – Mannum
17/11	LGA Board of Directors Meeting – Mannum
23/11	Victor Harbor High School Year 10 Showcase & Morning Tea
24/11	Victa Cinema 100th Birthday Celebration
27/11	Constituent Meeting Council Meeting Preparation Ordinary Council Meeting
29/11	Constituent Meeting Information and Briefing Session
30/11	Muwerang Mosaic Opening

December 2023	**Activity**
1/12	LGR & DS Advisory Committee Meeting Constituent Meeting Constituent Meeting 2023 Excellence in Business Awards
3/12	Victor Harbor Half Marathon – Assisting with presentation.
4/12	SMT Agenda Review Soft Opening – The Stables
5/12	Team Coaching Training – Adelaide
6/12	Team Coaching Training – Adelaide
7/12	Team Coaching Training – Adelaide End of Year Volunteer Appreciation Event
8/12	Southern and Hills LGA Board Meeting
11/12	Council Meeting Preparation Ordinary Council Meeting
12/12	Southern Fleurieu Health Advisory Council Meeting
14/12	All Staff Meeting – City of Victor Harbor
15/12	Business Victor Harbor Monthly Meeting
18/12	Information and Briefing Session
19/12	CEO and Mayor Weekly Meeting
20/12	Mayor and Deputy Mayor Monthly Meeting
21/12	Photoshoot with Citizens of the Year



Mayor Moira Jenkins

14.2 Fleurieu Regional Aquatic Centre Authority - Budget Review Quarter 1 2023/24

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Karen Rokicinski
File Reference	PM16.14.004

RECOMMENDATION

That Council receive the Fleurieu Regional Aquatic Centre Authority Quarter 1 Budget Review 2023/24, noting that there are no changes to constituent Council contributions.

INFORMATION

Purpose
The purpose of this report is to present the 2023/24 first quarter budget review for the Fleurieu Regional Aquatic Centre Authority (the Authority) to Council.

Background
The Authority is required to review its budget in line with the requirements of the *Local Government (Financial Management) Regulations 2011.*

In accordance with the Authority Charter, quarterly reports summarising the financial position and performance of the Authority against the Budget must be prepared and presented to the Board who may, with the approval of the Constituent Councils, amend its budget for a financial year at any time before the year ends.

Commentary
The quarterly budget review provides a projection of the Fleurieu Regional Aquatic Centre Authority budget for 2023/24 identifying any variations sought from Constituent Councils to the Authority's original budget and the cumulative financial implications.

Regulation 9(1)(b) and 9(2) of the *Local Government (Financial Management) Regulations 2011* requires a budget review to include a revised forecast of the Authority's operating and capital investment activities compared with estimates set out in the budget.

The budget review for the first quarter, incorporating the Uniform Presentation of Finances, was considered by the Authority Board at their meeting on Thursday 7 December 2023 with the following resolution:

Motion: *FRACA00707*
Moved: *Cr Lou Nicholson*
Seconded: *Cr Angela Schiller*

The Authority Board:

- *Adopt the Budget Review for the period ending 30 September 2023 with no proposed changes to the adopted budget for 2023/24; and*
- *Direct the Acting Executive Officer to provide the Quarter 1 Budget Review as at 30 September 2023 to Constituent Councils with no amendment to Council contributions.*

CARRIED

Accordingly, a memo was presented to Council's Chief Executive Officer from the Authority's Acting Executive Officer containing a summary of the budget review and the reviewed 2023/24 financial statements, and is provided at Attachment A. The budget review contains year to date actuals to 30 September 2023 with forecast estimates for the 30 June 2024 position. At this stage, no changes are proposed to the budget for 2023/24, with current income and expenditure on target.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance - The Authority Budget Review and Uniform Presentation of Finances has been prepared in accordance with legislation and has been reviewed by the Authority's Audit Committee and Board prior to presentation to the Council. This risk is assessed as ***low***.

Financial Management – No changes to Council contributions are requested at this stage. This risk is assessed as ***low.***

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 5 – We have services and infrastructure that meet our community's needs.

- Strategy – Facilitate access to health, education and community services.

Aspiration 6 – Manage Council's finances and resources sustainably

- Strategy – Encourage and support council subsidiaries to develop and expand income streams

Other references used:

- Fleurieu Regional Aquatic Centre Authority Charter
- Local Government Act 1999
  Schedule 2 Part 2 – Regional subsidiaries established by two or more Councils
- Local Government (Financial Management) Regulations 2011
  Regulation 9 – Review of Budgets

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources, there are no budget implications in the preparation or receipt of this quarter 1 budget review, as there are no changes being proposed to Council's contribution.
No additional funds are required.

CONSULTATION

Fleurieu Regional Aquatic Centre Authority – Kellie Knight-Stacey (Acting Executive Officer)

Attachment A

Fleurieu Regional Aquatic Centre Authority

Constituent Councils Communication

To:	Victoria MacKirdy, Chief Executive Officer, City of Victor Harbor & Nigel Morris, Chief Executive Officer, Alexandrina Council
From:	Kellie Knight-Stacey – Acting Executive Officer
Subject:	Budget Review – Q1 2023-2024
Date:	7 December 2023
Attachments:	Board Report – 7 December 2023: 2023-2024 Budget Review - Q1 BR1 Statements: Q1 2023-2024

Dear Victoria and Nigel,

The purpose of this communication is to provide the Fleurieu Regional Aquatic Centre Authority Budget Review for Q1 2023-2024 to Constituent Councils in accordance with the Authority Charter which states:

5.1.5 Quarterly reports summarising the financial position and performance of the Authority against the Budget must be prepared and presented to the Board at an ordinary meeting of the Board and copies provided to the Constituent Councils.

5.1.6 The Authority must reconsider its Budget in accordance with the Act in a manner consistent with the Acty and may with the approval of the Constituent Councils amend its Budget for the Financial year at any time before the year ends.

The budget review for the first quarter was considered by the Authority Board at their meeting on Thursday 7th December 2023 with the following resolved:

Motion: FRACA00707
Moved: Cr Lou Nicholson
Seconded: Cr Angela Schiller

That Authority Board:

- *adopt the Budget Review for the period ending 30 September 2023 with no proposed changes to the adopted budget for 2023/2024; and*
- *direct the Acting Executive Officer to provide the Q1 Budget Review as at 30 September 2023 to Constituent Councils with no amendment to Council contributions.*

CARRIED

The budget review contains year to date actuals to 30 September 2023 with forecast estimates for the 30 June 2024 position. At this stage, no changes are proposed to the budget for 2023/2024, with current income and expenditure on target.

fleurieuaquaticcentre.com.au

The Board Report and the reviewed 2023/24 Budgeted Financial Statements as considered by the Authority Board are hereby provided to Constituent Councils as per clause 5.1.5 of the Authority Charter as attached.

Regards

for
Kellie Knight-Stacey
Acting Executive Officer
Fleurieu Regional Aquatic Centre Authority

Attachment 1

Fleurieu Regional Aquatic Centre Authority

Report
Authority Board

To:	FRAC Authority Board
From:	Kellie Knight-Stacey, Acting Executive Officer
Subject:	7.2 2023/24 Budget Review (Q1)
Date:	7 December 2023
References:	FRAC Authority Charter; Local Government Act 1999.
Consultation:	James Lomax – YMCA
Attachments:	7.2a BR1 Statements

Purpose
The purpose of this report is to present the 2023/24 Budget Review # 1 to the Board for endorsement.

Background
The quarterly budget review provides a projection of the Fleurieu Regional Aquatic Centre Authority budget for 2023-2024 identifying any variations sought from Constituent Councils to the Authority's original budget and the cumulative financial implications.

Regulation 9(1)(b) and 9(2) of the Local Government (Financial Management) Regulations 2011 requires a budget review to include a revised forecast of the Authority's operating and capital investment activities compared with estimates set out in the budget.

In accordance with the Authority Charter quarterly reports summarising the financial position and performance of the Authority against the Budget must be prepared and presented to the Board who may, with the approval of the Constituent Councils, amend its Budget for a Financial Year at any time before the year ends.

Discussion
The budget review contains year to date actuals to 30 September 2023 with forecast estimates for the period October 2023 to June 2024 to project year-end figures. At this stage, no changes are proposed to the budget for 2023/2024, with current targets being achieved. Budgets will continue to be monitored throughout the second quarter, and any proposed budget amendments will be presented to the Committee at the Budget Review – Q2 in February 2024.

Capital
No changes are proposed for the capital budget at this stage.

Operating
No changes are proposed for the operating budget at this stage.

The budget review is included in the agenda of the 5 December 2023 meeting for the Audit and Risk Management Committee. The outcome of the Committee's review will be provided as a verbal update from the Acting Executive Officer during the Board meeting.

Recommendation

That Authority Board:

- *Adopt the Budget Review for the period ending 30 September 2023 with no proposed changes to the adopted budget for 2023/2024; and*
- *Direct the Acting Executive Officer to provide the Q1 Budget Review as at 30 September 2023 to Constituent Councils with no amendment to Council contributions.*

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Attachment 2

Fleurieu Regional Aquatic Centre Authority Statement of Comprehensive Income As at 30 September 2023	2022/23 Audited Actual $'000s	2023/24 Original Budget $'000s	2023/24 BR1 $'000s	2023/24 YTD Actual $'000s	2023/24 Variance (Original v BR1) $'000s
INCOME					
User charges	2,019	2,275	2,275	525	-
Grants, subsidies and contributions	998	934	934	234	-
Investment income	20	23	23	7	-
Other income	4	-	-	-	-
Total Income	3,041	3,232	3,232	766	-
EXPENSES					
Employee costs	30	-	-	-	-
Materials, Contracts and Other Expenses	3,008	3,232	3,232	803	-
Finance Costs	-	-	-	-	-
Depreciation, amortisation & impairment	537	543	543	138	-
Total Direct Expenses	3,575	3,775	3,775	941	-
OPERATING SURPLUS / (DEFICIT)	(534)	(543)	(543)	(175)	-
Asset disposal & fair value adjustments	-	-	-	-	-
Amounts specifically for new or upgraded assets	-	-	-	-	-
Physical resources received free of charge	-	-	-	-	-
NET SURPLUS / (DEFICIT)	(534)	(543)	(543)	(175)	-
Net gain (loss) on revaluation of assets	12,241	-	-	-	-
TOTAL COMPREHENSIVE INCOME	11,707	(543)	(543)	(175)	-

Fleurieu Regional Aquatic Centre Authority Statement of Financial Position As at 30 September 2023	2022/23 Audited Actual $'000s	2023/24 Original Budget $'000s	2023/24 BR1 $'000s	2023/24 YTD Actual $'000s	2023/24 Variance (Original v BR1) $'000s
ASSETS					
CURRENT ASSETS					
Cash & Cash Equivalents	723	601	612	652	-
Trade & Other Receivables	11	159	11	37	-
TOTAL CURRENT ASSETS	734	760	623	689	-
NON-CURRENT ASSETS					
Infrastructure, Property, Plant & Equipment	29,332	28,905	28,940	29,251	-
TOTAL NON-CURRENT ASSETS	29,332	28,905	28,940	29,251	-
TOTAL ASSETS	**30,066**	**29,665**	**29,563**	**29,940**	**-**
LIABILITIES					
CURRENT LIABILITIES					
Trade & Other Payables	112	189	112	161	-
Short Term Borrowings	-	1	1	-	-
TOTAL CURRENT LIABILITIES	112	190	113	161	-
NON-CURRENT LIABILITIES					
Long Term Borrowings	-	38	38	-	-
TOTAL NON-CURRENT LIABILITIES	-	38	38	-	-
TOTAL LIABILITIES	**112**	**228**	**151**	**161**	**-**
NET ASSETS	**29,954**	**29,437**	**29,412**	**29,779**	**-**
EQUITY					
Accumulated Surplus	(3,356)	(3,877)	(3,898)	(3,531)	-
Asset Revaluation Reserve	12,241	12,245	12,241	12,241	-
Capital Contribution	21,069	21,069	21,069	21,069	-
TOTAL EQUITY	**29,954**	**29,437**	**29,412**	**29,779**	**-**

Fleurieu Regional Aquatic Centre Authority Statement of Cashflows As at 30 September 2023	2022/23 Audited Actual $'000s	2023/24 Original Budget $'000s	2023/24 BR1 $'000s	2023/24 YTD Actual $'000s	2023/24 Variance (Original v BR1) $'000s
CASH FLOWS FROM OPERATING ACTIVITIES					
Receipts					
Operating receipts	3,164	3,209	3,209	732	-
Investment receipts	18	23	23	7	-
Payments					
Operating payments to suppliers & employees	(3,110)	(3,232)	(3,232)	(810)	-
Finance payments	-	-	-	-	-
Net Cash provided by (or used in) Operating Activities	72	-	-	(71)	-
CASH FLOWS FROM INVESTING ACTIVITIES					
Receipts					
Grants specifically for new or upgraded assets	-	-	-	-	-
Repayments from Community Groups	-	-	-	-	-
Sale of Assets	-	-	-		
Payments					
Capital Expenditure on renewal/replacement of assets	(2)	(110)	(110)	-	-
Capital Expenditure on new/upgraded assets	(35)	(40)	(40)	-	-
Net Cash provided by (or used in) Investing Activities	(37)	(150)	(150)	-	-
CASH FLOWS FROM FINANCING ACTIVITIES					
Receipts					
Proceeds from Borrowings	-	40	40	-	-
Payments					
Repayment of Borrowings	-	(1)	(1)	-	-
Net Cash used in Financing Activities	-	39	39	-	-
NET INCREASE (DECREASE) IN CASH HELD	**35**	**(111)**	**(111)**	**(71)**	-
CASH AT BEGINNING OF YEAR	688	712	723	723	-
CASH AT END OF PERIOD	**723**	**601**	**612**	**652**	-

Fleurieu Regional Aquatic Centre Authority Uniform Presentation of Finances As at 30 September 2023	2022/23 Audited Actual $'000s	2023/24 Original Budget $'000s	2023/24 BR1 $'000s	2023/24 YTD Actual $'000s	2023/24 Variance (Original v BR1) $'000s
Income					
User charges	2,019	2,275	2,275	525	-
Grants, subsidies and contributions` - Operating	998	934	934	234	-
Investment income	20	23	23	7	-
Reimbursements	-	-	-	-	-
Other income	4	-	-	-	-
	3,041	**3,232**	**3,232**	**766**	**-**
Expenses					
Employee costs	(30)	-	-	-	-
Materials, contracts and other expenses	(3,008)	(3,232)	(3,232)	(803)	-
Finance costs	-	-	-	-	-
Depreciation, amortisation and impairment	(537)	(543)	(543)	(138)	-
	(3,575)	**(3,775)**	**(3,775)**	**(941)**	**-**
OPERATING SURPLUS / (DEFICIT)	(534)	(543)	(543)	(175)	-
Timing adjustment for grant revenue	-	-	-	-	-
ADJUSTED OPERATING SURPLUS / (DEFICIT)	**(534)**	**(543)**	**(543)**	**(175)**	**-**
NET OUTLAYS ON EXISTING ASSETS					
Capital Expenditure on Renewal and Replacement of Existing Assets	(2)	(110)	(110)	-	-
add back Depreciation, Amortisation and Impairment	537	543	543	138	-
add back Proceeds from Sale of Replaced Assets	277	-	-	-	-
	812	433	433	138	-
NET OUTLAYS ON NEW AND UPGRADED ASSETS					
Capital Expenditure on New and Upgraded Assets	(35)	(40)	(40)	-	-
add back Amounts Received Specifically for New and Upgraded Assets	605	-	-	-	-
add back Proceeds from Sale of Surplus Assets	1,200				
	1,770	(40)	(40)	-	-
NET LENDING (BORROWING) FOR FINANCIAL PERIOD	**2,048**	**(150)**	**(150)**	**(37)**	**-**

Fleurieu Regional Aquatic Centre Authority Statement of Changes in Equity As at 30 September 2023	2022/23 Audited Actual $'000s	2023/24 Original Budget $'000s	2023/24 BR1 $'000s	2023/24 YTD Actual $'000s	2023/24 Variance (Original v BR1) $'000s
ACCUMULATED SURPLUS					
Opening balance at beginning of financial year	(2,821)	(3,335)	(3,355)	(3,355)	
Total comprehensive income for the year	(534)	(543)	(543)	(175)	-
Transfer to reserves					
Transfer from reserves					
Closing balance at end of period	(3,355)	(3,878)	(3,898)	(3,530)	-
ASSET REVALUATION RESERVE					
Opening balance at beginning of financial year	-	12,245	12,241	12,241	
Gain/(loss) on revaluation of infrastructure, property, plant & equipment	12,241	-		-	-
Closing balance at end of period	12,241	12,245	12,241	12,241	-
COUNCIL CONTRIBUTIONS					
Opening balance at beginning of financial year	21,069	21,069			
Closing balance at end of period	21,069	21,069	-	-	-
TOTAL EQUITY AT END OF REPORTING PERIOD	**29,955**	**29,436**	**8,343**	**8,711**	**-**

Fleurieu Regional Aquatic Centre Authority Financial Indicators September 2023	As at 30	2022/23 Audited Actual	2023/24 Original Budget	2023/24 BR1	2023/24 YTD Actual	TARGET RANGE
Operating Surplus Ratio *being operating surplus (deficit) divided by operating revenue*		-17.6%	-16.8%	-16.8%	-22.8%	0% - 10%
Net Financial Liabilities Ratio *being total liabilities less financial assets (excluding equity accounted investments in Council business), divided by total operating revenue*		-20.5%	-16.5%	-14.6%	-68.9%	0% - 100%
Asset Renewal Funding Ratio *Asset renewals expenditure is defined as capital expenditure on the renewal and replacement of existing assets relative to the optimal level planned, and excludes new capital expenditure on the acquisition of additional assets. The optimal level planned refers to the Council's Asset Management Plan (AMP) which forecasts the activities/projects that need to be undertaken in order to maintain the Council's assets.*		100.0%	100.0%	100.0%	0.0%	90% - 100%
Own Source Income Ratio *This ratio is calculated as 'income excluding Council contributions' as a percentage of total Authority expenditure*		67.2%	71.1%	71.1%	66.3%	59% - 64%

14.3 Victor Harbor Horse Tram Authority - Board Member Appointments

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Karen Rokicinski
File Reference	GOV9.14.041

RECOMMENDATION

1. That Council reappoint Paul Brown as Board Member to the Victor Harbor Horse Tram Authority for a third term commencing 1 March 2024 and concluding 1 March 2027.

2. That Council reappoint Nigel Catt as Board Member to the Victor Harbor Horse Tram Authority for a third term commencing 1 March 2024 and concluding 1 March 2027.

3. That Council reappoint Rachel Kennedy as Board Member to the Victor Harbor Horse Tram Authority for a third term commencing 1 March 2024 and concluding 1 March 2026.

INFORMATION

Purpose
The purpose of this report is to reappoint Victor Harbor Horse Tram Authority Board Members, Paul Brown, Nigel Catt and Rachel Kennedy for a third term.

Background
The Victor Harbor Horse Tram Authority Charter sets out the requirements for Board Member eligibility for reappointment as follows:

2.9.5 A Board Member is eligible for reappointment at the expiration of a term of office except that no person shall hold office as a Board Member for more than three consecutive terms.
2.9.6 Prior to the conclusion of the term of office of any Board Member, a further appointment will be made by the Council.
2.9.7 The Council must give to the Authority a written notice of appointment of a Board Member.

In relation to the Term of Office for Board Members, the VHHTA Charter states:

2.9.3 The appointment of all Board Members will be for a term not exceeding three years and on such conditions as determined by the Council provided that the Council shall ensure that no more than two (2) Board Members' terms of office expire in the same 12-month period.

At the Ordinary Council meeting held on Monday, 23 November 2020, Council reappointed Paul Brown and Nigel Catt to the Victor Harbor Horse Tram Authority as Independent Board Members for a three-year term commencing on 1 March 2021.

At the Ordinary Council meeting held on 28 March 2022, Council reappointed Rachel Kennedy to the Victor Harbor Horse Tram Authority as an Independent Board Member for a two-year term commencing on 1 March 2022.

Commentary
At the Ordinary Board meeting held 13 December 2023 the Board resolved the following:

VHHTA417 Moved: Natasha Hunt
Seconded: Rachel Kennedy

2. That the Victor Harbor Horse Tram Authority recommend to Council that Paul Brown be reappointed as an Independent Board Member for a third term commencing on 1 March 2024 and concluding 1 March 2027.

Material Conflict of Interest declared by Paul Brown as he is a current Board Member.
At 1:55pm Paul Brown left the meeting and did not vote.
At 1:58pm Paul Brown rejoined the meeting.

CARRIED

VHHTA418 Moved: Paul Brown
Seconded: Rachel Kennedy

2a. That the Victor Harbor Horse Tram Authority recommend to Council that Nigel Catt be reappointed as an Independent Board Member for a third term commencing on 1 March 2024 and concluding 1 March 2027.

Material Conflict of Interest declared by Nigel Catt as he is a current Board Member.
At 1:58pm Nigel Catt left the meeting and did not vote.
At 1:58pm Cr Carol Schofield took the chair.

CARRIED

At 1:59pm Nigel Catt rejoined the meeting.
At 1.59pm Nigel Catt retook the chair.

VHHTA419 Moved: Cr Carol Schofield
Seconded: Paul Brown

3. That the Victor Harbor Horse Tram Authority Board recommend to Council that Rachel Kennedy be reappointed as an Independent Board Member for a third term commencing 1 March 2024 and concluding 1 March 2026.

Material Conflict of Interest declared by Rachel Kennedy as she is a current Board Member.
At 2.00pm Rachel Kennedy left the meeting and did not vote.

At 2.03pm Rachel Kennedy rejoined the meeting.

CARRIED

A memo was provided by the General Manager Victor Harbor Horse Tram Authority to the CEO on 20 December 2023, outlining the history pertaining to these Board Members and seeking approval of the Council. The memo is provided at Attachment A. It should particularly be noted that the terms of the Board Members are staggered to ensure that no more than two Board Members have their term expire at the same time.

As the reappointment of these Board Members meets the requirements of the Charter endorsed by Council, this is recommended to Council accordingly.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – The reappointment of the members ensures continuity for the Board and meets the requirements of the Charter. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 – We are a financially sustainable and well-governed organisation

Other references used:

- Victor Harbor Horse Tram Authority Charter
  Clause 2.9 – Appointment of Board Members

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in reappointing the existing Board Members in line with the recommendations, noting that sitting fees for these positions are already included with the Authority's approved budget.

No additional funds are required.

CONSULTATION

Chief Executive Officer – Victoria MacKirdy

Victor Harbor Horse Tram Authority – Meg Whibley (General Manager)

Attachment A

Memo to: Ms Victoria MacKirdy, Chief Executive Officer, City of Victor Harbor

From: Meg Whibley, General Manager of the Victor Harbor Horse Tram Authority

Subject: **Council approval sought for the Reappointment of Board Members**

Date: 20 December 2023

Dear Victoria

The Purpose of this memo is to request that Council approval be sought for the following:

- That Rachel Kennedy be reappointed as an Independent Board Member of the Victor Harbor Horse Tram Authority (VHHTA) Board for a third term commencing on 1 March 2024 and concluding 1 March 2026; and
- That Paul Brown and Nigel Catt be reappointed as Independent Board Members of the Victor Harbor Horse Tram Authority Board for a third term commencing on 1 March 2024 and concluding 1 March 2027.

The following information is provided in support of this request.

Background

The Victor Harbor Horse Tram Authority Charter sets out the requirements for a Board Member to be eligible for reappointment as follows:

2.9.5 *A Board Member is eligible for reappointment at the expiration of a term of office except that no person shall hold office as a Board Member for more than three consecutive terms.*

2.9.6 *Prior to the conclusion of the term of office of any Board Member, a further appointment will be made by the Council.*

2.9.7 *The Council must give to the Authority a written notice of appointment of a Board Member.*

In relation to the Term of Office for Board Members, Clause 2.9.3 of the VHHTA Charter states:

> *The appointment of all Board Members will be for a term not exceeding three years and on such conditions as determined by the Council provided that the Council shall ensure that no more than two (2) Board Members' terms of office expire in the same 12-month period.*

At the Ordinary Council meeting held on Monday, 23 November 2020, Council reappointed Paul Brown and Nigel Catt to the Victor Harbor Horse Tram Authority as Independent Board Members for a three-year term commencing on 1 March 2021.

At the Ordinary Council meeting held on 28 March 2022, Council reappointed Rachel Kennedy to the Victor Harbor Horse Tram Authority as an Independent Board Member for a two-year term commencing on 1 March 2022.

Commentary

At the Ordinary Board meeting held 13 December 2023 the Board resolved the following:

7. Reports for decision

7.1 Reappointment of Board Members Report

VHHTA416 Moved: Natasha Hunt
Seconded: Paul Brown

1. That the Victor Harbor Horse Tram Authority Board receive and note the Reappointment of Board Members Report

CARRIED

VHHTA417 Moved: Natasha Hunt
Seconded: Rachel Kennedy

2. That the Victor Harbor Horse Tram Authority recommend to Council that Paul Brown be reappointed as an Independent Board Member for a third term commencing on 1 March 2024 and concluding 1 March 2027.

Material Conflict of Interest declared by Paul Brown as he is a current Board Member.

At 1:55pm Paul Brown left the meeting and did not vote.
At 1:58pm Paul Brown rejoined the meeting.

CARRIED

VHHTA418 Moved: Paul Brown
Seconded: Rachel Kennedy

2a That the Victor Harbor Horse Tram Authority recommend to Council that Nigel Catt be reappointed as an Independent Board Member for a third term commencing on 1 March 2024 and concluding 1 March 2027.

Material Conflict of Interest declared by Nigel Catt as he is a current Board Member.

At 1:58pm Nigel Catt left the meeting and did not vote.

At 1:58pm Cr Carol Schofield took the chair.

CARRIED

At 1:59pm Nigel Catt rejoined the meeting.

At 1.59pm Nigel Catt retook the chair.

VHHTA419 Moved: Cr Carol Schofield
Seconded: Paul Brown

3. That the Victor Harbor Horse Tram Authority Board recommend to Council that Rachel Kennedy be reappointed as an Independent Board Member for a third term commencing 1 March 2024 and concluding 1 March 2026.

Material Conflict of Interest declared by Rachel Kennedy as she is a current Board Member.

At 2.00pm Rachel Kennedy left the meeting and did not vote.

At 2.03pm Rachel Kennedy rejoined the meeting.

CARRIED

To ensure the Authority meets the requirements of Clause 2.9.3 of the Charter, it's recommended that Paul Brown and Nigel Catt be appointed for a three-year term, and Rachel Kennedy be appointed for a two-year term.

This will ensure that no more than two Board Members terms of office expire in the same 12-month period.

The VHHTA Board has been a valuable support in the recent expansion of the Victor Harbor Horse Tram. The VHHTA is pleased to endorse the reappointment of three (3) Board Members and recommend it to the Council.

Kind Regards

Meg Whibley

15. MATTERS OF URGENCY

Nil

16. QUESTIONS ON NOTICE

Nil

17. QUESTIONS WITHOUT NOTICE

Nil

18. MOTIONS ON NOTICE

18.1 Motion on Notice - SteamRanger Heritage Railway Rail Line Safety Review - Cr Carlos Quaremba

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Jodi Roberts
File Reference	GOV9.24.003

RECOMMENDATION

(Cr Quaremba to propose his motion)

That the City of Victor Harbor write to the Minister for clear reasons: to prevent more accidents, to preserve the Steamranger Heritage Railway as a major tourism attraction for our region, and to protect Victor Harbor's status as a popular tourism destination.

INFORMATION

Purpose
The purpose of this report is to provide for the consideration of a Motion submitted by Cr Carlos Quaremba pursuant to Regulation 12(1) of the Local Government (Procedures at Meetings) Regulations 2013 in relation to a request for state government to undertake a safety review of the SteamRanger Heritage Railway rail line. A copy of Cr Carlos Quaremba's written submission and preamble is provided at Attachment A.

Council Member Commentary
For all the best of intentions and hopes, this hasn't been the best holiday season for Victor Harbor or the south coast.

It has been marked by tragedies, in particular two incidents in which visitors to our region have lost their lives. These and other incidents have received great deal of media coverage in recent weeks, and I am concerned about the potential impact this may have on our reputation as a safe tourist destination.

The first responsibility of any elected government should be community safety. I strongly believe that as a council representing this region, we not only have to act to make it safer, but we must also lobby state government to do the same. These actions are what sends a clear message to our community that we care about our visitors and residents and that we want to keep them safe.

One of the main draw attractions that will keep tourist coming back is the Steamranger Heritage Railway. I believe it is extremely important to ensure this tourism drawcard continues to operate. Recent accidents on the rail line – regardless of their particulars and who was to blame – inevitably threaten the viability of this volunteer – run heritage service.

I am not convinced that all of the pedestrian and vehicle crossings on this rail line are as safe as they could be. While it's a given that anyone approaching a rail crossing should be very cautious so as to not come off second best in a possible collision with a hundred-tonne steam train, it's a fact that measures can be taken at rail crossings to make them safer.

To the end I propose that this Council write to Minister for Infrastructure and Transport, The Hon Tom Koutsantonis MP, requesting that he direct his department to undertake a comprehensive safety review of the steam ranger rail line and crossings in 2024.

The state government can't legislate against stupidity or incompetence, but a review may identify practical measures which can be taken at rail crossings to improve the safety of pedestrians, motorist, and train passengers.

Officer Commentary

Administration supports the motion to write to the Minster, the following background is provided for Council Member information.

The City of Victor Harbor has an Interface Agreement for public rail and road crossings with Australian Railway Historical Society (SA Div) Inc SteamRanger Heritage Railway (SteamRanger) that establishes the roles, responsibilities and standards for coordinating the safety of the interfaces between rail infrastructure and road infrastructure. The track infrastructure, including primary traffic control warning devices, are maintained by SteamRanger. The City of Victor Harbor maintains pedestrian and road crossings outside of the interface boundary, beyond 1.0m from the outside rail.

The City of Victor Harbor meets regularly with SteamRanger to identify any concerns and prioritise work to address safety concerns, the most recent meeting was held on 24 November 2023. A joint inspection with the City of Victor Harbor and SteamRanger is scheduled to be undertaken on 18 January 2024 to review all pedestrian and level crossings within the City of Victor Harbor area. The inspection will cover 11 pedestrian crossings and 3 level crossings maintenance by council and 2 informal/private crossings not maintained by Council. A summary of the crossings within the City of Victor Harbor area is provided in the table below:

Name of rail or road crossing	RLX Number Rail network location	Street location of rail or road crossing	Description
Investigator carpark beach access 1		Eastern portion of Investigator carpark at end of First Avenue, Hayborough. Also referred to as Dump Beach	Pedestrian crossing with maze on both sides and steps towards the beach
Investigator carpark beach access 2		Western end of Investigator carpark at end of First Avenue, Hayborough. Also referred to as Dump Beach	Pedestrian crossing with maze on both sides and steps towards the beach
Olivers Parade beach access		End of Rosetta Avenue, Hayborough	Pedestrian crossing with maze and steps on both sides.
Olivers Parade		Opposite 18 Olivers Parade,	Pedestrian crossing with maze

beach access		Hayborough	and steps on both sides.
Yandra Terrace beach access		End of Yandra Terrace, Hayborough	Pedestrian crossing with maze and steps on both sides.
Hayward Street beach access		Opposite 17 Hayward Street, McCracken	Pedestrian crossing with maze and steps on both sides.
Hayward Court beach access		Opposite 43 Hayward Court, McCracken	Pedestrian crossing with steps on both sides and pedestrian maze on beach side only
Private beach access		Private access from property on Hindmarsh Road, McCracken	Private beach access with steps not maintained by Council
Hindmarsh Estuary pedestrian Crossing 1		Opposite The Drive intersection with Hindmarsh Road, McCracken	Pedestrian crossing with maze on both sides and steps on estuary side
Hindmarsh Estuary pedestrian Crossing 2		Opposite 105 Hindmarsh Road, McCracken	Pedestrian crossing without mazes and steps on estuary side.
Bridge Terrace pedestrian crossing		End of Bridge Terrace, Victor Harbor	Pedestrian crossing with maze on both sides.
Bridge Court informal crossing		End of Bridge Court, Victor Harbor	Historical informal track not maintained by Council
Grantley Avenue	RLX0168 KP 131.400 Mount Barker to Victor Harbor	Grantley Avenue, Victor Harbor	Road Level Crossing Passive (Stop) includes 2 pedestrian crossings without mazes
Turntable pedestrian crossing		Access from railway turntable carpark off Eyre Terrace connecting to Bridge Terrace, Victor Harbor	Pedestrian crossing with mazes both sides
Eyre Terrace	RLX0169 KP131.750 Mount Barker to Victor Harbor	Eyre Terrace, Victor Harbor	Road Level Crossing Passive (Stop) includes 2 pedestrian crossings with mazes both sides
Coral Street	RLX0170 KP 131.903 Mount Barker to Victor Harbor	Coral Street, Victor Harbor	Road Level Crossing Active (Hand Operated Gates) includes 2 pedestrian crossings with mazes both sides
Railway Terrace		Next to 2 Railway Terrace connecting to Flinders Parade, Victor Harbor	Pedestrian crossing beyond the station

The City of Victor Harbor and SteamRanger work collaboratively with the Department for Infrastructure and Transport Level Crossing Unit, Network Management Services to analysis risks for level crossings within the Council area and prioritises remedial work to reduce risks. The Office of the National Rail Safety Regulator also undertakes compliance inspections to provide regulatory oversight in response to incidents. A full investigation is under way for the

fatal incident involving a pedestrian walking along on the railway line on 4 January 2024.

The Department for Infrastructure and Trasport undertakes level crossing surveys and share their observation and list maintenance tasks identified with Council. The most recent surveys were conducted between 12 January 2022 and 29 August 2023 and identified minor signage and line marking maintenance requirements at the Grantley Avenue level crossing. There were no observations provided at the Coral Street or Eyre Terrace level crossings.

The survey did observe that that majority of vehicles approaching from Bridge Terrace do not obey the RHS Stop control at the Grantley Avenue level crossing. An Council endorsed recommendation of the 2017 Town Centre Traffic Movement and Car Parking Strategy was to trial alteration to the Grantley/Bridge/Hindmarsh intersection to 'left in' and 'left out' only (into and out of Hindmarsh Road). Formal support has been provided by the Department for Infrastructure and Transport and this trial is scheduled to be implemented in late January to reduce the risk at the Grantley Avenue level crossing.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Reputation – Moderate impact. Moderate public interest, public embarrassment, moderate news local profile. This risk is assessed as ***low.***

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 5: We have services and infrastructure that meet our community's needs.

- Strategy – Advocate for improved local and regional transport networks

Other references used:

- Local Government (Procedures at Meetings) Regulations 2013
  Regulation 12 – Motions

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in writing to the Minister.

No additional funds are required.

CONSULTATION

Council Member – Cr Carlos Quaremba

Attachment A

From: Carlos Quaremba
To: Victoria MacKirdy
Subject: NREC20339924 - GOV9.24.003 - Motion on notice for January council meeting
Date: Sunday, 14 January 2024 3:39:26 PM

I would like to put forward the below motion for the January council meeting.
I,
Move that the city of victor harbor write to the Minister for clear reasons: to prevent more accidents, to preserve the Steamranger Heritage Railway as a major tourism attraction for our region, and to protect Victor Harbor's status as a popular tourism destination.
Commentary :
For all the best of intentions and hopes, this hasn't been the best holiday season for Victor Harbor or the south coast.
It has been marked by tragedies, in particular two incidents in which visitors to our region have lost their lives. These and other incidents have received great deal of media coverage in recent weeks, and I am concerned about the potential impact this may have on our reputation as a safe tourist destination.
The first responsibility of any elected government should be community safety. I strongly believe that as a council representing this region, we not only have to act to make it safer, but we must also lobby state government to do the same. These actions are what sends a clear message to our community that we care about our visitors and residents and that we want to keep them safe.
One of the main draw attractions that will keep tourist coming back is the Steamranger Heritage Railway. I believe it is extremely important to ensure this tourism drawcard continues to operate. Recent accidents on the rail line – regardless of their particulars and who was to blame – inevitably threaten the viability of this volunteer – run heritage service.
I am not convinced that all of the pedestrian and vehicle crossings on this rail line are as safe as they could be. While it's a given that anyone approaching a rail crossing should be very cautious so as to not come off second best in a possible collision with a hundred-tonne steam train, it's a fact that measures can be taken at rail crossings to make them safer.
To the end I propose that this council write to Minister for Infrastructure and transport The Hon Ton Koutsantonis MP requesting that he direct his department to undertake a comprehensive safety review of the steam ranger rail line and crossings in 2024.
The state government can't legislate against stupidity or incompetence, but a review may identify practical measures which can be taken at rail crossings to improve the safety of pedestrians, motorist, and train passengers.
Kind regards Carlos Quaremba

18.2 Motion on Notice - Review of SA Ambulance Service Site - Cr David Kemp

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Louise Hampel
File Reference	GOV9.24.003

RECOMMENDATION

(Cr Kemp to propose his motion)

That the CVH contacts the SA Government Health Minister, SA Public Works Committee and SAAS to review the SAAS Ambulance Station complex at 81 Adelaide Rd Hayborough to identify an alternative site to be more conducive to the health and wellbeing of the Community.

INFORMATION

Purpose
The purpose of this report is to provide for the consideration of a Motion submitted by Cr David Kemp pursuant to Regulation 12(1) of the Local Government (Procedures at Meetings) Regulations 2013 in relation to a request to review the site allocated for the SA Ambulance Service. A copy of Cr David Kemp's written submission and preamble is provided at Attachment A.

Council Member Commentary
The chamber can only make decisions on the information provided at the time and I am wondering if we had the information that is now available would the decision be different.

This motion is not about revoking the original motion, it is about the City of Victor Harbor on behalf of its community contacting the SA Government Health Minister, SA Public Works Committee and SAAS to review the approved site of SAAS Ambulance which will be constructed.

It is about finding another site which is more conducive to the SAAS and the Community.

Based upon numerous conversations with the proposed new station's close-proximity to the community of Hayborough and surrounding area, people's recollections of 'when' and 'how' they became aware of the new SAAS complex varies substantially.

Many have relayed they were unaware of the precise proposed location, the anticipated timeframe around the construction and commissioning, or any opportunity to contribute their voice or opinion on the proposal.

Numerous residents have advised that they attended the SAAS 'community information

session' held at McCracken on the 18th of October last year, while others who were unable to attend on the night have expressed exasperation at this single date and timeslot opportunity.

The concerns of the residents is around the lack of meaningful initial consultation with those whose lifestyles stand to be most heavily impacted.

The residents concerns are of the loud and intrusive noise from close-proximity sirens within this predominantly residential location, potentially impacting resident's mental health and/or making continued residency undesirable or untenable. • Increased traffic congestion), access/egress issues and road safety concerns, given close proximity to major retailers, a lifestyle village/Nursing home and a school.

Potential decline in surrounding property values, impacting upon resale. As it has been explained to me • A noise-intrusive industry being 'visited upon' established residents, many of whom purchased homes in this location in good faith, based upon recognised lifestyle values including the semi-rural 'quiet country life' appeal.

Several homeowners feel they will have no option but to 'sell up' rather than suffer any exacerbated lifestyle impact.

Let the Stakeholders revisit re-evaluate other locations in our community.

Officer Commentary
The current location was initially selected by SAAS due to the eight-minute drive time catchment it provided. The site enables the service to still cover most of the built-up areas in Victor Harbor whilst improving coverage towards Port Elliot and Middleton.

The proposal and information available have not changed since May 2023, when the Council considered the findings of the consultation that related to the proposed community land revocation and subsequent use by SA Health for an ambulance station. Thirty-nine (39) responses were received, and opposition to the proposal was clear from a number of the surrounding residents, on the grounds stated above. The consultation process included letters being sent directly to surrounding residents (at both the physical address and declared postal address as per our rates system). There was also a physical sign erected on the site advising users of the proposal.

Council was presented with the results of the consultation and, upon consideration, authorised the submission of the appropriate revocation documentation to the Minister for Local Government for consideration. The Council resolved this way for several reasons, as follows:

- Proceeds of sale could go to increasing the amenity of the remaining reserve
- The ambulance station was a compatible and congruous development outcome, considering what was approved and likely for the adjacent site had the Council not purchased 44 Adelaide Road in 2019, i.e. service trade premise. As well as the surrounding land uses (car yard) and additional bulky goods outlets approved for the site next to ALDI.
- The significant community benefit of having a new ambulance station in a location deemed optimal by health and emergency services professionals, outweighed the

concerns addressed by the surrounding residents.

The community land classification was ultimately revoked by the Minister of Local Government for the purposes of an ambulance station and in June 2023, Council received an offer of purchase for the portion of the reserve. The Council resolved to accept this offer in June 2023. Since then, staff have been working with several agencies to finalise the land sale and road access agreement.

The information session held by SA Health at McCracken was not a consultation to gauge community support (or otherwise) of the project, but rather an opportunity to meet with the SA Ambulance Service (SAAS) team and to provide information about the design and day-to-day operation of the station. There is also a public available fact sheet that addresses concerns relating to noise and other operational aspects - https://saambulance.sa.gov.au//app/uploads/2023/07/SAAS-Ambulance-Stations-Fact-Sheet-.pdf .

If there is a desire for an additional community information session, Administration would be pleased to request one through SAAS and assist with coordination.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – The action proposed by Cr Kemp's motion is at odds with the Memorandum of Understanding with the Minister for Health and Wellbeing, under which the process and negotiations relating to the land transaction were conducted. Additionally, Council is bound to a sale contract for the land that presents further legal complications and risk should Council be perceived to be considering reneging on the contract. Additionally, a use for the land that no longer brings to fruition the purpose for which the community revocation was approved by the Minister for Local Government may further exacerbate legal and compliance risks associated with the motion. This risk is assessed as ***high***.

Financial Management – The state government has invested resources into the current site based on executed and actioned agreements in place with Council. A redirection of budget and resources that would be necessary for the state government should Council seek to deviate from the outcomes anticipated by the agreements would likely come at a cost to Council by way of compensation to the state government for lost time and resources. This risk is assessed as ***high***.

Reputation – Whilst Cr Kemp's motion doesn't go so far at this point to seek to break contract of sale with the state government (albeit that the notion is contrary to the Memorandum of Understanding), there is a risk to Council's reputation if the Council resolves to request that the Minister of Health and Wellbeing review the proposal and identify an alternate site, particularly with no compelling or additional reason for doing so. Equally there is also risk of disenfranchisement with the portion of the community that supports the location for the new Ambulance Station. It may also invoke suspicion as to how Council might seek to use or sell a site that is no longer dedicated as community land should

it no longer be used for the purpose the community dedication was revoked. This risk is assessed as ***high***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 5 – We have services and infrastructure that meet our community's needs.

- Strategy – Provide key community infrastructure

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in contacting the Minister of Health and Wellbeing, SA Public Works Committee or the South Australian Ambulance Service (SAAS). However, as detailed under financial risk, there may be a budget implication should the state government seek costs from Council to delay or alter its planning for the Victor Harbor Ambulance Station site.

No additional funds are required in the first instance.

CONSULTATION

Council Member – Cr David Kemp

Attachment A

Motion on Notice 22nd January 2024 Ordinary Council meeting

SAAS complex 81 Adelaide Road Hayborough

I move that the CVH contacts the SA Government Health Minister, SA Public Works Committee and SAAS to review the SAAS Ambulance Station complex at 81 Adelaide Rd Hayborough to identify an alternative site to be more conducive to the health and wellbeing of the Community.

Commentary

The chamber can only make decisions on the information provided at the time and I am wondering if we had the information that is now available would the decision be different.

This motion is not about revoking the original motion, it is about the City of Victor Harbor on behalf of its community contacting the SA Government Health Minister, SA Public Works Committee and SAAS to review the approved site of SAAS Ambulance which will be constructed.

It is about finding another site which is more conducive to the SAAS and the Community.

Based upon numerous conversations with the proposed new station's close-proximity to the community of Hayborough and surrounding area, people's recollections of 'when' and 'how' they became aware of the new SAAS complex varies substantially.

Many have relayed they were unaware of the precise proposed location, the anticipated timeframe around the construction and commissioning, or any opportunity to contribute their voice or opinion on the proposal.

Numerous residents have advised that they attended the SAAS 'community information session' held at McCracken on the 18th of October last year, while others who were unable to attend on the night have expressed exasperation at this single date and timeslot opportunity.

The concerns of the residents is around the lack of meaningful initial consultation with those whose lifestyles stand to be most heavily impacted.

The residents concerns are of the loud and intrusive noise from close-proximity sirens within this predominantly residential location, potentially impacting resident's mental health and/or making continued residency undesirable or untenable. • Increased traffic congestion), access/egress issues and road safety concerns, given close proximity to major retailers, a lifestyle village/Nursing home and a school.

Potential decline in surrounding property values, impacting upon resale. As it has been explained to me • A noise-intrusive industry being 'visited upon' established residents, many of whom purchased homes in this location in good faith, based upon recognised lifestyle values including the semi-rural 'quiet country life' appeal.

Several homeowners feel they will have no option but to 'sell up' rather than suffer any exacerbated lifestyle impact.

Let the Stakeholders revisit re-evaluate other locations in our community.

18.3 Motion on Notice - Communication and Engagement with the Community - Cr Stewart Burns

Committee	Victor Harbor Council
Meeting Held	22/01/2024
From	Michelle James
File Reference	GOV9.24.003

RECOMMENDATION

(Cr Burns to propose his motion)

That a workshop for elected members workshop be held in February 2024 to discuss ways of improving Councils communication and engagement approach with the community.

INFORMATION

Purpose
The purpose of this report is to provide for the consideration of a Motion submitted by Cr Stewart Burns pursuant to Regulation 12(1) of the Local Government (Procedures at Meetings) Regulations 2013 in relation to Council's communication and engagement with the community. A copy of Cr Stewart Burns written submission and preamble is provided at Attachment A.

Council Member Commentary
In 2019 Council adopted a new community consultation policy. The intent was to engage with the community on key projects, programs and initiatives planned by the Council. Most importantly, this policy was to ensure Council administration effectively consults with stakeholders and the community, and these engagement principles were intended to improve Councils accountability with the community about how we intend to spend their money.

City of Victor Harbor Engagement Principles:

1. ***Community Participation***
   We are committed to including, informing and involving our community in local decision making from project planning through to delivery.
2. ***Open and Accountable***
   We will provide clear and easy to understand information that will inform our community and encourage meaningful engagement.
3. ***Accessibility***
   Our community will be able to access information in a variety of ways.
4. ***Careful Planning and Evaluation***

We will carefully plan community engagement activities and evaluate all feedback to meet the needs of our community.

5. Closing the Loop

We will inform our community of our decisions and outline how feedback was considered.

Unfortunately, since the policies adoption community's satisfaction level within Council administrations communication has not improved as intended. The poor response to Council administration surveys and feedback requests is an indication of this.

In 2022, Council administration introduced more social media communication and internet based surveys which again has not had a large uptake by the community.
It appears these approaches to communicate with the community haven't been that effective as desired and need to be reconsidered.

Victor Harbor has a predominantly older population; the demographics of which rarely use smart phones, social media, or electronic means to communicate with each other.

Traditional methods such as community townhalls, in person presentations to community groups & clubs, letter box drops and mail outs, newspaper notices and pop-up discussion tables in local shopping centres and in the main street continue to be used by most community groups.

Local residents have conveyed to me that they prefer person to person communication where they have the opportunity to actually discuss and ask questions freely, not have questions pre-scripted for them.

In 2023, Council administration undertook another community satisfaction survey, with the biggest issue still being the communities desire for council administration to improve their communication.

My motion is to request a workshop in February 2024, with the fresh eyes of the new elected members of this council to look at ways of improving communication and consultation with our community residents and to update our current engagement policy for administration to follow.

Officer Commentary

The City of Victor Harbor Community Plan 2030 outlines Council's commitment to engage and involve the community in local decision making. This commitment recognises that effective community engagement not only provides Council with the opportunity to strengthen its relationship and build trust with our community, but also supports better decision making to ensure outcomes are informed by community needs and aspirations.

Opportunities to be involved in local decision making are highly valued by community. Response rates to formal engagement processes vary, generally depending on the nature of the topic, with some consultations achieving hundreds of responses while others may receive one or two. This is not uncommon across the Local Government sector.

City of Victor Harbor Engagement Approach

The way that the City of Victor Harbor engages with its community has certainly evolved over the last decade. The Council has been proactive in its engagement approach and has demonstrated a commitment to continuous improvement.

Council has increasingly been using more face-to-face engagement techniques, noting that this is a method appreciated by many in the community. It also aligns with the engagement principle relating to providing a variety of ways for community members to participate. In 2023, face-to-face engagement tools were used to support consultation for a number of projects including:

- Regional Community, Sport and Recreation Precinct
- The Bluff Master Plan
- 2023/24 Annual Business Plan
- Investment Attraction Strategy
- Biodiversity and Natural Assets Management Plan
- By-law Review
- 2024/25 Annual Business Plan (introduction of a new early engagement initiative)

Engagement plans are prepared for all formal consultation processes. These plans identify the intent of the engagement (scope, level of engagement, tools, timeline, stakeholder mapping etc.). When prepared, they are presented to Council for formal adoption. During this process, Council Members have the opportunity to add or change any of the techniques proposed.

It is also important to note that Council's Public Consultation Policy will be required to be reviewed as a part of the Community Engagement Reforms arising from the *Statutes Amendment (Local Government Review) Act 2021*. These reforms will see the introduction of a State-wide Community Engagement Charter, developed and published by the Minister for Local Government. The intent of the policy direction change to include a State-wide Charter is to enable councils to take a more fit-for-purpose approach to public consultation (which aligns with Council's current approach). The Act will require Council Community Engagement Policies (formerly Public Consultation Policies) to be consistent with the Charter and comply with its requirements. As a result, Council's Public Consultation Policy will be required to be reviewed in line with the Charter (once released by the Minister). It is at this time that a Council Member Workshop will be scheduled. This also supports the capacity of the current workshop schedule, which is full until at least May 2024.

City of Victor Harbor Communications Approach

Council's communications approach is one that uses a diverse range of tools to ensure that a broad range of target audiences are being reached. In designing communication and engagement strategies, consideration is given to the most effective tools for the topic.

The City of Victor Harbor uses a range of traditional and digital tools to communicate and engage with our community. These include:

- Digital:

  - E-newsletters (Victor Viewpoint, City Activation e-News, Library e-News)
  - Social Media (Facebook, Instagram and LinkedIn)
  - Website

- Traditional:
  - Media (Local, State, National and Industry)
  - Advertising (press, radio and display)
  - Rates Notices (newsletters included with rates notices)
  - Collateral and display materials (flyers, brochures, posters, signage)
  - Face-to-Face events (drop-in sessions, listening posts, public meetings, workshops, forums)
  - Word of mouth (equipping Council Members and Staff with information to share within their networks).

Research has demonstrated that local newspapers continue to be the prime source of information relating to Council, followed by social media and direct email.

Local newspapers are regularly provided with media releases and information to assist with stories and help disseminate information to the broader community about Council matters. In addition to this, the Council also places advertisements with information and notices in local newspapers.

Building on its traditional tools, a rates newsletter has also been re-established to provide hard copy information to ratepayers outlining news, events and consultation opportunities. During 2024 Council will initiate community feedback on the newsletter to see if it is effective and where it can be improved.

Complementing traditional methods, the Council's digital presence has grown significantly in recent years, and statistics show that we are reaching a large portion of the community online. Our digital communications tools (including e-newsletters, social media, website) are a cost-effective and efficient way to share information with the community, and complementary to our traditional communications tools. Some highlights from Council's digital tools in 2023 are outlined below:

- 358,000 page views on corporate website
- 100,150 users on corporate website
- 250 posts shared on Facebook/Instagram with a reach of 250,100 (up 245% from 2022 and up 300% from 2021)
- 12 editions of Victor Viewpoint reaching approximately 2,500 emails each month

Council's Communications Team is always looking for improvements and ways to increase the dissemination of information to the community and will continue to refine its offering within the resources it has been allocated.

Community Satisfaction Survey Findings

The City of Victor Harbor's Community Satisfaction Survey was undertaken in 2022 and 2023 to assist Council to better understand community perception in relation to Council service delivery and performance. The survey sought community feedback on high level

service areas in relation to both importance and satisfaction. In addition to this the survey looked at customer service, communications, organisational performance measures and major project priorities.

Key findings in relation to communication and engagement are provided below:

- **Overall Performance** – Satisfaction with the City of Victor Harbor's overall performance remained relatively steady in 2023, with a marginal decline of 2% for those who were satisfied or very satisfied. The percentage of respondents who indicated they were dissatisfied or very dissatisfied with Council's overall performance increased by 4%.

- **Methods to liaise with Council** – Satisfaction with methods to liaise with Council dropped in 2023 to 57% very satisfied (from 72% very satisfied in 2022). The change is quite significant considering methods for the community to liaise with Council had not changed during the period. While there was a broad range of channels used, the four main channels were the local newspaper (increased recall), email, social media and direct mail (electronic and hard copy).

- **Communication Recall** – Around three in four survey respondents recalled Council related information in 2023 (an increase of 6%), supporting a significant amount of work that has occurred to increase presence through traditional and digital channels.

Following receipt of the 2023 Satisfaction Survey results, an action plan was developed and workshopped with Council Members in August 2023. The action plan outlined what Council is currently doing to improve its performance in relation to the findings of the survey. A progress report on actions undertaken will be finalised in February and subsequently presented to Council.

RISK ASSESSMENT

The following risks have been assessed in line with Council's Risk Management Framework and Policy:

Legal and Compliance – Community Engagement Reforms form part of the *Statutes Amendment (Local Government Review) Act 2021.* These changes have been anticipated for some time and the recent release of the State Government's Local Government Elections and Participation Review Discussion Paper is an opportunity for the State Government to receive feedback to help inform the development of this Charter. It would be prudent of Council to postpone the review of its Public Consultation Policy until following the anticipated release of the State-wide Engagement Charter. This risk is assessed as ***low.***

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 6 – We are a financially sustainable and well-governed organisation

- Strategy – Engage and involve our community in decision making

- Priority – Provide engagement options which make it easier for residents and ratepayers to be involved and share their views with Council

Other references used:

- Local Government (Procedures at Meetings) Regulations 2013
  Regulation 12 – Motions

- Local Government Act 1999
  Section 50 – Public Consultation Policies

- City of Victor Harbor Public Consultation Policy

- City of Victor Harbor Community Satisfaction Survey 2022 and 2023

- SA Government's Local Government Participation and Elections Review Discussion Paper

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in the preparation of this report seeking a Council Workshop in relation to communications and engagement strategies.

No additional funds are required.

CONSULTATION

Council Member – Cr Stewart Burns

Chief Executive Officer – Victoria MacKirdy

Communications Officer – Emma Warren

Attachment A

From: Stewart Burns
To: City of Victor Harbor
Cc: David Kemp; Stewart Burns
Subject: Motion on Notice - request for workshop in February 2024 to review councils community engagement policy
Date: Sunday, 14 January 2024 5:47:24 PM
Attachments: image001.png

Hi Victoria. Apologies for sending this via my home email, but I was having internet issues trying to use my council laptop from café in central Victor. This delayed my in submitting my motion on notice before 5pm.

I checked with another elected member who was also having issues in the central Victor Harbor area tonight? I found the internet working ok back home in Encounter Bay? Anyway, submitting my motion on notice request now.

Please find undernoted notice on notice for inclusion in Councils next ordinary meeting on 22 January 2024.

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MOTION

That a workshop for elected members workshop be held in February 2024 to discuss ways of improving Councils communication and engagement approach with the community.

BACKGROUND

In 2019 Council adopted a new community consultation policy. The intent was to engage with the community on key projects, programs and initiatives planned by the Council. Most importantly, this policy was to ensure Council administration effectively consults with stakeholders and the community, and these engagement principles were intended to improve Councils accountability with the community about how we intend to spend their money.


CITY OF VICTOR HARBOR
ENGAGEMENT PRINCIPLES
1.
Community Participation
We are committed to including, informing and involving our community in local decision making from project planning through to delivery.
2.
Open and Accountable
We will provide clear and easy to understand information that will inform our community and encourage meaningful engagement.
3.
Accessibility
Our community will be able to access information in a variety of ways.
4.
Careful Planning
We will carefully plan community engagement activities and evaluate all feedback to meet the needs of our community.
5.
Closing the Loop
We will inform our community of our decisions and outline how feedback was considered.
Principles Adopted

Unfortunately, since the policies adoption community's satisfaction level within Council administrations communication has not improved as intended. The poor response to Council administration surveys and feedback requests is an indication of this.

In 2022, Council administration introduced more social media communication and internet based surveys which again has not had a large uptake by the community. It appears these approaches to communicate with the community haven't been that effective as desired and need to be reconsidered.

Victor Harbor has a predominantly older population; the demographics of which rarely use smart phones, social media, or electronic means to communicate with each other.

Traditional methods such as community townhalls, in person presentations to community groups & clubs, letter box drops and mail outs, newspaper notices and pop-up discussion tables in local shopping centres and in the main street continue to be used by most community groups.

Local residents have conveyed to me that they prefer person to person communication where they have the opportunity to actually discuss and ask questions freely, not have questions pre-scripted for them.

In 2023, Council administration undertook another community satisfaction survey, with the biggest issue still being the communities desire for council administration to improve their communication.

My motion is to request a workshop in February 2024, with the fresh eyes of the new elected members of this council to look at ways of improving communication and consultation with our community residents and to update our current engagement policy for administration to follow.

Regards,

Cr Stewart Burns

19. MOTIONS WITHOUT NOTICE

Nil

20.1 CONFIDENTIAL - Victor Harbor Rock n Roll Festival - Management Appointment

Committee Victor Harbor Council

Meeting Held 22/01/2024

From Stacey Richardson

File Reference CR2.38.056

RECOMMENDATION

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except Chief Executive Officer (Victoria MacKirdy), Director Community and Development (Graham Pathuis), Director Environment and Infrastructure (Jodi Roberts), Director Corporate and Customer Service (Karen Rokicinski), Group Manager Governance and Finance (Kellie Knight-Stacey), Executive Assistant (Katie Common) and Access and Inclusion Support Officer (Vicki Francis) be excluded from attendance at the meeting for Agenda Item 20.1 CONFIDENTIAL - Victor Harbor Rock n Roll Festival - Management Appointment.

   The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the corporation who supplied the information, and that this information may prejudice the commercial position of the corporation as plans and business strategies will be exposed. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances.

5. That having considered 20.1 CONFIDENTIAL - Victor Harbor Rock n Roll Festival - Management Appointment and (3)(d) of the Local Government Act 1999, the Council,

   i. pursuant to section 91(7) of that Act orders that the Council report and all minutes be retained in confidence for a period of 2 years or as otherwise determined by the Chief Executive Officer, with exception to Attachment D, which will retained in confidence due to client legal privilege; and

   ii. the public be readmitted to the meeting.

20.2 CONFIDENTIAL - Jagger Road Construction Works

Committee Victor Harbor Council

Meeting Held 22/01/2024

From Scott Champion

File Reference INFR14.19.068

RECOMMENDATION

1. Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public except, Chief Executive Officer (Victoria MacKirdy), Director Corporate and Customer Services (Karen Rokicinski), Director Community Development (Graham Pathuis), Director Environment and Infrastructure (Jodi Roberts), Group Manager Governance and Finance (Kellie Knight-Stacey), Executive Assistant (Katie Common) and Access and Inclusion Support Officer (Vicki Francis) be excluded from attendance at the meeting for Agenda Item 20.2 CONFIDENTIAL - Jagger Road Construction Works.

   The Council is satisfied that, pursuant to Section 90(3)(k) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this agenda item is a matter related to tenders for the provision of goods and services for Jagger Road Construction and the public release of the information during the negotiation of the contract may jeopardise Council's ability to secure best value for money.

   The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be disclosed and discussed has the potential to jeopardise the commercial position of third parties.

3. That having considered Agenda Item 20.2 CONFIDENTIAL - Jagger Road Construction Works in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999, the Council:

   i. Pursuant to section 91(7) of the Local Government Act 1999, orders that the tender documents and all minutes be retained in confidence for a period of 6 months or until the tender process has been finalised or as otherwise determined by the Chief Executive Officer; and

   ii. the public be readmitted to the meeting.

21. CLOSURE

Nil