MINUTES

Committee: Ordinary Council

Meeting Held: Monday, 26 October 2026 at 5:30pm

Location: Council Chambers, 1 Bay Road, Victor Harbor

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1. PRESENT

Mayor Moira Jenkins (Chair)
Cr Brayden Mann
Cr Stewart Burns
Cr Michael Quinton – *arrived at 5:40pm*
Cr David Kemp
Cr Angela Schiller
Cr Carol Schofield

In Attendance:
Chief Executive Officer - Mr Chris White
Director Community and Development - Mr Graham Pathuis
Director Environment and Infrastructure - Ms Jodi Roberts
Director Corporate and Customer Service - Ms Karen Rokicinski
Group Manager Governance and Finance - Ms Kellie Knight-Stacey
Strategy and Engagement Business Partner - Michelle James
Governance Officer - Ms Chelsie Butler

2. INTRODUCTION AND ACKNOWLEDGEMENT

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, religions, 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

Cr Marilyn Henderson
Cr Nick McKenzie

4. ITEMS ADJOURNED AND/OR LYING ON THE TABLE

Nil

5. MINUTES OF THE PREVIOUS MEETING

5.1. Minutes of the Previous Meeting - 28 September 2026

OC3482026

Moved: Cr Brayden Mann

Seconded: Cr Carol Schofield

That the minutes of the Ordinary Council meeting held on Monday, 28 September 2026 be confirmed as true and accurate.

CARRIED

6. DEPUTATION

6.1 Fleurieu Marine Education - Alexandra (Ali) Bloomfield, Renee Newman and Ian Milne

5:32pm Council received the deputation from Fleurieu Marine Education.

5:40pm Cr Michael Quinton arrived and assumed his seat in the Chamber.

7. QUESTIONS FROM THE GALLERY

7.1 Questions from the Gallery – Mr Peter Charles

5:44pm Mr Peter Charles withdrew his questions from the gallery.

7.2 Questions from the Gallery – Mr Greg Powell

Question

If the Sports and Community Precinct did not require an independent review when elected members sought one last month in September, what changed between the September council decision and your subsequent public announcement on the 13th of October that the incoming CEO should conduct an independent review.

Specifically, did information emerging at the 12th of October special council briefing regarding project costs, financial exposure, contractual commitments, funding shortfalls, or other significant project risks cause the council to reverse its position? If so, will the information be relayed or released publicly? Will council now commit to a fully public disclosure of the project's financial position and undertake fresh community consultation before proceeding?

Response

Neither Council nor I have asked for a separate formal review. The comments that I have provided refer to the normal process of a new CEO familiarising itself with the organisation and its major projects. Given the significance of the regional community sport and recreation precinct, I highlighted it as a priority within that process.

Council's previous decisions and direction remain unchanged, and any future decisions will continue to be made collectively by council as the project progresses.

My comments did not relate to a separate or formal review. They referred to the incoming CEO's normal transition into the organisation and familiarisation with major projects.

My comments reflected the reasonable expectation that a new CEO will familiarise himself with the council's major projects, and I asked him to do that to understand the work undertaken to date and to bring a fresh perspective and set of eyes for the organisation.

The CEO has since confirmed this publicly in local media.

Given the significance of the precinct project, it is entirely appropriate that this is a priority within this familiarisation process.

In relation to your second question, council continues to undertake due diligence activities in relation to the precinct. This includes considering potential costs. In line with new data, adopted budgets, interview results, and lease negotiations.

Council receives regular briefings on major projects, and any information that can appropriately be made public is released through the council's normal reporting and decision-making processes.

5:49pm Mayor Moira Jenkins sought leave of meeting to make a personal explanation.

5:50pm Mayor Moira Jenkins made a personal explanation.

8. PETITIONS

Nil

9. OFFICE OF CHIEF EXECUTIVE OFFICER

9.1. Outstanding Resolutions - October 2026

OC3492026

Moved: Cr Stewart Burns

Seconded: Cr Brayden Mann

That Council receive and note the Outstanding Resolutions - October 2026 report.

CARRIED

9.2. Mayoral Report - July to September 2026

OC3502026

Moved: Cr Brayden Mann

Seconded: Cr Michael Quinton

That Council receive and note the Mayoral Report for period of July to September 2026.

CARRIED

9.3. Reviewed - Media, Communications and Social Media Policy

OC3512026

Moved: Cr Angela Schiller

Seconded: Cr Brayden Mann

That Council adopt the reviewed Media, Communications and Social Media Policy as provided at Attachment 1.

CARRIED

9.4. Discretionary Rebate - The Salvation Army Australia (3 properties)

OC3522026

Moved: Cr Angela Schiller

Seconded: Cr Carol Schofield

That Council denies the application from The Salvation Army for a discretionary 100% council rate rebate pursuant to Section 166 (h) of the Local Government Act 1999 on three assessments being 30 Missen Avenue, Hayborough, 46 Sutherland Avenue, Hayborough and 52 Prime Boulevard, Encounter Bay.

CARRIED

6:06pm

A division was called

The Mayor declare the vote be set aside

FOR: Cr Brayden Mann, Cr Angela Schiller, Cr Michael Quinton, Cr Carol Schofield

AGAINST: Cr Stewart Burns, Cr David Kemp

THE MAYOR DECLARED THE MOTION CARRIED

9.5. Local Government Finance Authority of South Australia – Election of Representative Members of the Board of Trustees

6:08pm With the agreement of at least two thirds of the members present, Mayor Moira Jenkins suspended the meeting procedures for a period of five minutes to allow informal discussion on Agenda Item 9.5.

6:13pm Mayor Moira Jenkins ended the suspension of meeting procedures and the meeting resumed.

OC3532026

Moved: Cr Stewart Burns

Seconded: Cr Carol Schofield

That Council appoint the Chief Executive Officer as Returning Officer for the purpose of conducting a secret ballot to determine Council's preferred candidates for the two council-elected trustee positions on the Board of Trustees of the Local Government Finance Authority of South Australia, and that on completion of the ballot, be authorised to declare the successful candidate.

CARRIED

6:13pm A secret ballot was undertaken.

6:17pm The Returning Officer declared Michael Sedgman as one of Council's two preferred candidates. The ballot for the second position resulted in a tie between Chris Cowley, Samantha Grieve and Simon Zbierski.

6:17pm A secret ballot was undertaken.

6:20pm The Returning Officer declared the ballot for the second position resulted in a tie between Chris Cowley and Samantha Grieve.

6:22pm A secret ballot was undertaken.

6:23pm The Returning Officer declared Chris Cowley as one of Council's two preferred candidates.

OC3542026

Moved: Cr Brayden Mann

Seconded: Cr Carol Schofield

That Council determine Michael Sedgman and Chris Cowley as its preferred candidates for the two council-elected trustee positions on the Board of Trustees of the Local Government Finance Authority of South Australia.

CARRIED

OC3552026

Moved: Cr Carol Schofield

Seconded: Cr David Kemp

That Council authorise Council's appointed representative to the LGFA Annual General Meeting, Mayor Moira Jenkins, to mark the official LGFA ballot paper in accordance with Council's resolution and return the completed ballot documentation to the LGFA Returning Officer.

CARRIED

9.6. Appointment of Southern and Hills Local Government Association Board Member

OC3562026

Moved: Cr Brayden Mann

Seconded: Cr David Kemp

1. That Council

    a. appoint Chris White, Chief Executive Officer, as Council's Chief Executive Officer representative on the Southern and Hills Local Government Association Board, effective 27 October 2026.

    b. authorise Chris White to represent the City of Victor Harbor on the Southern and Hills Local Government Association Board and to undertake the responsibilities associated with the position in accordance with the Southern and Hills Local Government Association Charter.

2. That Council appoint Karen Rokicinski, Director Corporate and Customer Service, as Deputy Board Member for Chris White on the Southern and Hills Local Government Association Board, effective 27 October 2026, in accordance with the Southern and Hills Local Government Association Charter.

CARRIED

10. COMMUNITY AND DEVELOPMENT

10.1. Victor Harbor Integrated Transport Strategy

OC3572026

Moved: Cr David Kemp

Seconded: Cr Brayden Mann

That Council

a. approve proceeding to public consultation on the Victor Harbor Integrated Transport Strategy, using the draft maps provided as Attachment 2 and in accordance with the Communications and Engagement Plan, provided as Attachment 1; and

b. authorise the Chief Executive Officer to make minor amendments to the draft maps for the purposes of achieving further clarity, if/where necessary.

CARRIED

11. CORPORATE AND CUSTOMER SERVICE

No reports for Council consideration

12. ENVIRONMENT AND INFRASTRUCTURE

12.1. Capital Projects Update - First Quarter 2026/27

OC3582026

Moved: Cr Brayden Mann

Seconded: Cr Carol Schofield

That Council receive and note the Capital Projects Update - First Quarter 2026/27 report.

CARRIED

12.2. Nangawooka Flora Reserve Water Usage and Costs

OC3592026

Moved: Cr Angela Schiller

Seconded: Cr Brayden Mann

That Council receive and note the Nangawooka Flora Reserve Water Usage and Costs report, note that any required increase to the operating budget will be included in the Mid-Year Budget Review, and retain the previous water allocation for the Nangawooka Flora Reserve.

CARRIED

12.3. Proposed Closure of an Unmade Road Reserve - Adjoining 74 Walford Road

OC3602026

Moved: Cr Brayden Mann

Seconded: Cr Carol Schofield

That Council

a. approve commencement of a road closure process under the *Roads (Opening and Closing) Act 1991* for the portion of unmade road reserve that separates allotment 500 in CT 6261/446, allotment 103 in CT 5944/764 and allotment 100 in CT 5944/762, for the purpose of selling the land to the adjoining property owner at 74 Walford Road, Back Valley, to be incorporated into the adjoining property's Certificate of Titles; and

b. authorise the Chief Executive Officer to negotiate the terms of the proposed sale of the land subject to the applicant providing an identification survey and one independent certified land valuation and that a further report be presented to Council for consideration of the road reserve closure and subsequent sale of the land, based on the agreed terms of sale.

CARRIED

12.4. Encounter Community Centre Lease

6.42pm Mayor Moira Jenkins declared a material conflict of interest in relation to Agenda Item 12.4 as the Chair of Encounter Centre Inc. Mayor Jenkins vacated the Chair and departed the Chamber.

6:43pm Deputy Mayor Angela Schiller assumed the Chair.

OC3612026

Moved: Cr Carol Schofield

Seconded: Cr Brayden Mann

That Council approve the execution of the Deed of Assignment for the Encounter Community Centre lease and authorise the Deputy Mayor and Chief Executive Officer to sign and seal all associated documentation required to give effect to the assignment.

CARRIED

6:47pm Deputy Mayor Angela Schiller returned to her seat in the Chamber

6:47pm Mayor Moira Jenkins returned to the Chamber and resumed the Chair.

13. MINUTES OF COUNCIL COMMITTEE MEETINGS

13.1. Disability Access and Inclusion Advisory Committee - 1 October 2026

OC3622026

Moved: Cr Angela Schiller

Seconded: Cr Stewart Burns

1. That Council receive and note the minutes of the Disability Access and Inclusion Advisory Committee meeting held on Thursday, 1 October 2026.

2. That Council request Administration investigate opportunities to improve accessibility and inclusion within the Main Street precinct, including initiatives to increase awareness and understanding among business owners and operators, and to explore opportunities to engage a university student to assist in undertaking this work.

CARRIED

14. SUBSIDIARIES AND REPRESENTATIVE REPORTS

14.1. Fleurieu Regional Waste Authority 2025/26 Annual Report

OC3632026

Moved: Cr Brayden Mann

Seconded: Cr Angela Schiller

That Council receive and note the Fleurieu Regional Waste Authority 2025/26 Annual Report.

CARRIED

14.2. Victor Harbor Horse Tram Authority - 2025/26 Annual Report and Financial Statements

6:54pm Cr Carol Schofield declared general conflict of interest in relation to Agenda Item 14.2 as the Deputy Chair of the Victor Harbor Horse Tram Authority. Cr Schofield advised she will stay in chamber and vote.

OC3642026

Moved: Cr Carol Schofield

Seconded: Cr Brayden Mann

That Council receive the Victor Harbor Horse Tram Authority 2025/26 Annual Report and Financial Statements.

CARRIED

15. MATTERS OF URGENCY

Nil

16. QUESTIONS ON NOTICE

Nil

17. QUESTIONS WITHOUT NOTICE

18. MOTIONS ON NOTICE

18.1. Motion on Notice - Franklin Parade Dog Off-Leash Trial Continuation - Mayor Moira Jenkins

OC3652026

Moved: Mayor Moira Jenkins

Seconded: Cr Stewart Burns

1. That Council revoke resolution OC2152026, made at the Ordinary Council Meeting held on 22 June 2026.

2. That Council continue the Franklin Parade Dog Off-Leash Trial for a further 12 months, noting that:

    a. no incidents were recorded during the trial period;

    b. the trial cannot reasonably be characterised as a failure based on the evidence presented;

    c. the community engagement was based on 42 survey responses that reflected mixed views, with a number of concerns relating to general dog ownership and management generally, rather than exclusively to 24 off-leash access in that area;

    d. dogs are required to be under effective control and kept away from Hooded Plover nesting areas and other protected environmental areas regardless of whether they are on-leash or off-leash, and regardless of the summer 'off leash' times;

    e. many users of this section of beach represent a relatively small but important group within the community, including older residents and owners of smaller dogs who value the accessibility, social connection and exercise opportunities provided by the area;

    f. the trial demonstrated community interest in additional off-leash opportunities while also identifying opportunities for improved signage, education and responsible dog ownership; and

    g. extending the trial would allow Council to gather additional evidence across a longer period to support informed decision-making through the Dog and Cat

Management Plan review and any future consideration of permanent arrangements.

CARRIED UNANIMOUSLY

19. MOTIONS WITHOUT NOTICE

19.1 Motion Without Notice - Regional Community, Sport and Recreation Precinct Penalty Fees – Cr Stewart Burns

OC3662026

Moved: Cr Stewart Burns

Seconded: Cr David Kemp

That Administration provide to Council Members as soon as practicable, within the next five business days, details of all contractual obligations, break fees, penalty provisions, compensation clauses, reimbursement obligations, trigger dates and trigger events associated with the proposed Regional Community, Sport and Recreation Precinct, together with copies of all relevant agreements and supporting legal or financial advice, to enable Council Members to fully understand any financial exposure arising from the amendment, delay of cancellation of the project.

CARRIED UNANIMOUSLY

20. CONFIDENTIAL ITEMS

20.1. CONFIDENTIAL - CCTV and Security Audit

OC3672026

Moved: Cr David Kemp

Seconded: Cr Carol Schofield

Pursuant to Section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except Chief Executive Officer (Chris White), 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) and Governance Officer (Chelsie Butler) be excluded from attendance at the meeting for Agenda Item - CONFIDENTIAL CCTV and Security Audit.

a. The Council is satisfied that, pursuant to Section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to this Agenda Item relates to matters affecting the security of Council property, Council employees and the safety of persons. The report discusses the condition, capability and effectiveness of Council's CCTV and security infrastructure, known limitations within existing systems, operational and governance arrangements, and future options for the management of security-related assets and services. Public disclosure of this information could reasonably prejudice the

security of Council facilities, infrastructure and operations by identifying or drawing attention to existing limitations and vulnerabilities within Council's security environment.

b. The Council is satisfied that the principle that meetings should be conducted in a place open to the public has been outweighed in the circumstances because public discussion of these matters may compromise Council's ability to effectively manage risks relating to its facilities, infrastructure and security arrangements.

CARRIED

OC3682026 – retained in confidence

OC3692026

Moved: Cr Stewart Burns

Seconded: Cr Brayden Mann

That having considered Agenda Item - CONFIDENTIAL CCTV and Security Audit in confidence under section 90 (2) and (3)(e) of the *Local Government Act 1999,* the Council:

a. Pursuant to section 91(7) of the *Local Government Act 1999*, the Council orders that the report, attachments and minutes relating to this agenda item be retained in confidence until such time as the Chief Executive Officer determines that the information no longer has the potential to prejudice the security of Council property, systems, assets or operations, and that this order be reviewed every 12 months.

CARRIED

21. CLOSURE

The Presiding Member closed the meeting at 7:30pm.