MINUTES

Committee: Ordinary Council

Meeting Held: Monday, 22 June 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 - *departed at 6:32pm*
Cr Stewart Burns
Cr Michael Quinton - *arrived at 5:41pm*
Cr Marilyn Henderson
Cr David Kemp
Cr Angela Schiller
Cr Carol Schofield
Cr Nick McKenzie

In Attendance:

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
Governance Officer - Ms Chelsie Butler
Communications Officer - Ms Emma Warren

2. INTRODUCTION AND ACKNOWLEDGEMENT

Introduction

The Mayor or Presiding Member will introduce Council Members and Senior staff in attendance.

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 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

Nil

4. ITEMS ADJOURNED AND/OR LYING ON THE TABLE

4.1. Adjourned Item - Reviewed - Public Interest Disclosure Policy and Procedure

OC2052026

Moved: Cr Brayden Mann

Seconded: Cr Marilyn Henderson

That Council:

a. revokes the Public Interest Disclosure Policy as provided at Attachment 1; and

b. adopts the reviewed Public Interest Disclosure Procedure as provided at attachment 2.

CARRIED

4.2. Adjourned Item - Reviewed - Prudential Management Policy

OC2062026

Moved: Cr Brayden Mann

Seconded: Cr Marilyn Henderson

That Council adopt the Reviewed Prudential Management Policy as provided at Attachment 2.

CARRIED

5. MINUTES OF THE PREVIOUS MEETING

5.1. Minutes of the Previous Meeting - 25 May 2026

OC2072026

Moved: Cr Carol Schofield

Seconded: Cr Marilyn Henderson

That the minutes of the Ordinary Council meeting held on Monday, 25 May 2026 be confirmed as true and accurate.

CARRIED

5.2. Minutes of the Previous Meeting - Special Council - 1 June 2026

OC2082026

Moved: Cr Angela Schiller

Seconded: Cr Brayden Mann

That the minutes of the Special Council meeting held on Monday, 1 June 2026 be confirmed as true and accurate.

CARRIED

5:41pm *Cr Michael Quinton arrived and assumed his seat in the Chamber*

6. DEPUTATION

6.1. Mr Keith Climpson - Victor Harbor Facility Improvements

5:42pm *Deputation Heard*

6.2. Mr Greg Powell - Council's Financial Sustainability

5:52pm *Deputation Heard*

7. QUESTIONS FROM THE GALLERY

Nil

8. PETITIONS

Nil

9. OFFICE OF CHIEF EXECUTIVE OFFICER

9.1. Outstanding Resolutions - June 2026

OC2092026

Moved: Cr Stewart Burns

Seconded: Cr Nick McKenzie

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

CARRIED

9.2. 2026/27 Interim Budget

OC2102026

Moved: Cr Marilyn Henderson

Seconded: Cr Carol Schofield

That Council, pursuant to Section 123 of the Local Government Act 1999, adopts:

a. an interim capital budget for 2026/27 of $9,586,500 for multi-year, work in progress or urgent projects as provided at Attachment 1; and

b. an interim operating budget for 2026/27 equal to one quarter of the draft 2026/27 Budget as presented in the Statement of Comprehensive Income at Attachment 2.

CARRIED

9.3. 2026/27 Fees and Charges

OC2112026

Moved: Cr Marilyn Henderson

Seconded: Cr Brayden Mann

That Council adopt the 2026/27 Fees and Charges as provided at Attachment 1, noting the relevant legislative fees and charges will be added to the register upon gazettal.

CARRIED

OC2122026

Moved: Cr Angela Schiller

Seconded: Cr Stewart Burns

That Council, having considered the request from Business Victor Harbor in regard to a waiver for outdoor dining and street trading, endorse the application of a targeted waiver for activation and expansion, with application and furniture fees to 2025/26 volumes and all additional furniture free of charge.

CARRIED

9.4. Reviewed - Procurement Policy

Moved: Cr Marilyn Henderson

Seconded: Cr Brayden Mann

That Council adopt the reviewed Procurement Policy as provided at Attachment 1.

6:21pm

FORMAL MOTION

OC2132026

Moved: Cr David Kemp

Seconded: Cr Stewart Burns

That this item be adjourned to the July Ordinary Council Meeting to allow for further discussion and clarification in relation to Policy Clause 6.10, specifically whether the reference to the Chief Executive Officer can be removed.

CARRIED

9.5. Draft - Community Engagement Policy - Public Consultation

OC2142026

Moved: Cr Stewart Burns

Seconded: Cr Nick McKenzie

That Council

a. endorses the draft Community Engagement Policy as provided at Attachment 2 for the purpose of public consultation in line with the Communication and Engagement Plan provided at Attachment 3; and

b. notes that a further report will be presented to Council with the engagement feedback prior to the adoption of the Community Engagement Policy.

CARRIED

10. COMMUNITY AND DEVELOPMENT

10.1. Dog Off Leash Trial Period - Conclusion

OC2152026

Moved: Cr Michael Quinton

Seconded: Cr David Kemp

That Council:

a. notes the outcomes of the Encounter Bay Dog Off-Leash Trial Community Engagement Report; and

b. determines that the foreshore area contiguous with Franklin Parade, between Harbour View Terrace and Oakham Street, is not suitable for a permanent 24-hour dog off-leash area; and

c. requests Administration to consider future dog off-leash opportunities strategically through the development of the Dog and Cat Management Plan.

CARRIED

6:32pm Cr Brayden Mann departed the meeting

10.2. Major Event Application - Flinders to Fleurieu Car Rally

OC2162026

Moved: Cr Nick McKenzie

Seconded: Cr Marilyn Henderson

That Council approve the staging of the 2026 Flinders to Fleurieu Rally, to be held on Friday 25 September 2026 in the City of Victor Harbor, subject to the following conditions:

a. a bond of $1,000 is paid to Council in advance of the event, in accordance with Council's Festivals & Events Policy, as it relates to car rallies;

b. Council or resident property damaged as a result of the event is satisfactorily reinstated or compensated accordingly;

c. the event organisers to notify affected residents and businesses prior to the event, outlining road closure, access arrangements, event timings, and contact details for the organisers on the day of the event;

d. final copies of event risk management and supplementary event safety plans are provided to and reviewed by Council administration prior to the event.

CARRIED

OC2172026

Moved: Cr Stewart Burns

Seconded: Cr Marilyn Henderson

1. That Council exercises its delegation, pursuant to Section G of the 'Instrument of general approval and delegation to Council' for the 'Use of traffic control devices, road closure and granting of exemptions for events' dated 22nd August 2013 and Section 33 of the Road Traffic Act 1961 ('the Act') to:

   Pursuant to Section 33(1) of the Road Traffic Act 1961, declare that the event described below as 'the event', that is to take place on the roads described below as 'the road', is a Road Event to which Section 33 of the Road Traffic Act 1961 applies; and

Pursuant to Section 33(1)(a) of the Road Traffic Act 1961, make an Order directing that the road on which the event is to be held and any adjacent or adjoining roads specified below, be temporarily closed to traffic for the period as specified below:

'The Event': 2026 Flinders to Fleurieu Rally

Friday 25 September 2026 at the following locations and times:

- 'The Road': Mount Robinson Road from a point 2.4 kilometres north of Range Road to the Council boundary, from 11:00am to 5:30pm and
- 'The Road': Albert Place from the Esplanade to Railway Terrace from 12noon to 9pm.

Pursuant to Section 33(1)(b) of the Road Traffic Act 1961, Council make an order granting exemptions to Council vehicles, emergency services, competitors, officials and vehicles owned by the property owners and or residents that live on the closed section of Mount Robinson Road.

2. That Council approve the temporary reduction of the speed limit to 25km/h on the Esplanade from Wills Street to Flinders Parade on Friday 25 September 2026 from 12noon to 9pm, noting that administration will ensure that relevant bodies are notified of road closures as required under the Minister's Notice and advertise the road closure in accordance with Section 33(3) of the Road Traffic Act.

3. That Council delegate authority to the Chief Executive Officer to approve any minor amendments to the approved traffic management arrangements, provided such amendments do not materially alter the intent of the approval or adversely impact local residents.

CARRIED

11. CORPORATE AND CUSTOMER SERVICE

Nil

12. ENVIRONMENT AND INFRASTRUCTURE

12.1. Speed Limit Review - Victor Harbor Road

OC2182026

Moved: Cr David Kemp

Seconded: Cr Nick McKenzie

That Council support a speed limit reduction from the default 100km/h rural speed limit to 80km/h on Victor Harbor Road between the Bambrick and Victor Harbor Road intersection, and the Mont Rosa and Victor Harbor Road intersection.

6:43pm

FORMAL MOTION

Moved: Cr Angela Schiller

Seconded:

That the item be adjourned to the July Ordinary Council meeting to enable further advice to be sought from the Department for Infrastructure and Transport on how receptive it is to speed limit reviews of this nature.

LAPSED FOR WANT OF A SECONDER

THE ORIGINAL MOTION WAS PUT AND CARRIED (OC2182026)

OC2192026

Moved: Cr Marilyn Henderson

Seconded: Cr Stewart Burns

1. That the Minister for Police and Road Safety the Hon Michael Brown MP is to be formally advised of Council's support for the speed limit reduction.

2. That a request is made to the Department for Infrastructure and Transport for a formal review of the speed limit on Victor Harbor Road between the Bambrick and Victor Harbor Road intersection, and the Mont Rosa and Victor Harbor Road intersection.

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

4. That Council endorse a submission to the Department of Infrastructure and Transport and the Minister for Police and Road Safety the Hon Michael Brown MP requesting a detailed and priority review of the intersection design and traffic environment, with the objective of identifying and implementing further engineering, traffic control, or operational improvements to enhance safety for all road users.

CARRIED

12.2. Regional Community, Sport and Recreation Precinct Heads of Agreement Extension

OC2202026

Moved: Cr Michael Quinton

Seconded: Cr Carol Schofield

That Council authorises the Chief Executive Officer to execute the Heads of Agreement for the Regional Community, Sport and Recreation Precinct with a revised expiry date of 31 August 2026.

CARRIED

6:59pm

A division was called

The Mayor declared the vote to be set aside

FOR: Cr Nick McKenzie, Cr Angela Schiller, Cr Michael Quinton, Cr Carol Schofield, Cr Marilyn Henderson

AGAINST: Cr Stewart Burns, Cr David Kemp

THE MAYOR DELCARED THE VOTE CARRIED

12.3. Open Space and Environment - 2025/26 Yearly Summary

OC2212026

Moved: Cr Carol Schofield

Seconded: Cr Marilyn Henderson

That Council receives and notes the Open Space and Environment 2025/26 Yearly Summary report.

CARRIED

13. MINUTES OF COUNCIL COMMITTEE MEETINGS

13.1. Recreation Centre Management Committee - 19 May 2026

OC2222026

Moved: Cr Stewart Burns

Seconded: Cr Carol Schofield

That Council receive and note the minutes of the Recreation Centre Management Committee meeting held on Monday, 19 May 2026.

CARRIED

13.2. CEO Performance Review Committee - 20 May 2026

OC2232026

Moved: Cr David Kemp

Seconded: Cr Nick McKenzie

That Council receive and note the minutes of the CEO Performance Review Committee meeting held on Wednesday, 20 May 2026.

CARRIED

13.3. Special Audit and Risk Committee Minutes - 1 June 2026

OC2242026

Moved: Cr Angela Schiller

Seconded: Cr Marilyn Henderson

That Council receive and note the minutes and meeting summary of the Special Audit and Risk Committee meeting held on Monday, 1 June 2026 as provided at Attachment 1 and 2.

CARRIED

13.4. Disability Access and Inclusion Advisory Committee - 4 June 2026

OC2252026

Moved: Cr Angela Schiller

Seconded: Cr Marilyn Henderson

1. That Council receive and note the minutes of the Disability Access and Inclusion Advisory Committee meeting held on Thursday, 4 June 2026.

2. That Council request Administration to develop an annual action plan to monitor and report on progress against the actions outlined in the City of Victor Harbor Disability Access and Inclusion Plan 2026-2030.

3. That Council request that the Disability Access and Inclusion Advisory Committee be directly consulted with during the development of the Integrated Transport Strategy.

CARRIED

14. SUBSIDIARIES AND REPRESENTATIVE REPORTS

14.1. Fleurieu Regional Waste Authority - 3rd Budget Review 2025/26

OC2262026

Moved: Cr Marilyn Henderson

Seconded: Cr Carol Schofield

That Council approve the Fleurieu Regional Waste Authority 3rd Budget Review 2025/26 as provided at Attachment 1 and approve a transfer of $17,000 from Project #100082 (*Operations Admin*) to Project #100070 (*Waste Management*) to offset the additional contribution to waste contractor service expenses with no overall increase to the 2025/26 operating budget.

CARRIED

14.2. Southern and Hills Local Government Association - Draft 2026/27 Business Plan and Budget

OC2272026

Moved: Cr Carol Schofield

Seconded: Cr Marilyn Henderson

a. That Council endorse the Southern and Hills Local Government Association Draft 2026/27 Business Plan and Budget; and provides no further feedback on the 2026/27 Draft Annual Business Plan and Budget as presented.

b. authorises the Chief Executive Officer to provide any feedback to Southern and Hills Local Government Association by 30 June 2026; and

c. notes the proposed 2026/27 Southern and Hills Local Government Association contribution for the City of Victor Harbor.

CARRIED

15. MATTERS OF URGENCY

Nil

16. QUESTIONS ON NOTICE

Nil

17. QUESTIONS WITHOUT NOTICE

Nil

18. MOTIONS ON NOTICE

18.1. Motion on Notice - Regional Community Sport and Recreation Precinct - Cr David Kemp

OC2282026

Moved: Cr David Kemp

Seconded: Cr Stewart Burns

That the City of Victor Harbor undertake a further public consultation process on the proposed Regional Community, Sport and Recreation Precinct at the earliest practicable opportunity.

LOST

7:33pm

A division was called

The Mayor declared the vote to be set aside

FOR: Cr Stewart Burns, Cr David Kemp

AGAINST: Cr Nick McKenzie, Cr Angela Schiller, Cr Michael Quinton, Cr Carol Schofield, Cr Marilyn Henderson

THE MAYOR DECLARED THE VOTE LOST

19. MOTIONS WITHOUT NOTICE

19.1 Motion Without Notice - Open Space and Environment Letter of Appreciation - Cr Carol Schofield

OC2292026

Moved: Cr Carol Schofield

Seconded: Cr Marilyn Henderson

That Council send a letter of appreciation to the Open Space and Environment staff and volunteers to express our sincere appreciation for their service and commitment to our City and rural areas.

CARRIED

20. CONFIDENTIAL ITEMS

20.1. CONFIDENTIAL - Inter-War Heritage Code Amendment - Proposal to Initiate

OC2302026

Moved: Cr Stewart Burns

Seconded: Cr Carol Schofield

That pursuant to Section 90(2) of the Local Government Act 1999, Council orders that all members of the public except the 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 - Inter-War Code Amendment - Proposal to Initiate.

a. The Council is satisfied that, pursuant to Section 90(3)(m) of the Act, the information to be received, discussed, or considered in relation to this Agenda Item is information relating to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the *Planning, Development and Infrastructure Act 2016* before the draft instrument or amendment is released for public consultation under that Act.

b. 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 as the proposed amendment has not yet been prepared or initiated which could result in the public becoming inadvertently misinformed of the proposed changes.

CARRIED

OC2312026 - *retained in confidence*

OC2322026

Moved: Cr Carol Schofield

Seconded: Cr Stewart Burns

That having considered the Agenda Item - CONFIDENTIAL - Inter-War Code Amendment - Proposal to Initiate in confidence under Section 90(2) and (3)(m) of the Local Government Act 1999, the Council:

a. pursuant to Section 91(7) of the Act orders that the report, attachments and minutes be retained in confidence until the draft Code Amendment has been released for public consultation or as otherwise determined by the Chief Executive Officer; and

b. the public be readmitted to the meeting.

CARRIED

20.2. CONFIDENTIAL - Appointment of an Interim Chief Executive Officer

OC2332026

Moved: Cr Marilyn Henderson

Seconded: Cr Stewart Burns

Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public except Group Manager Governance and Finance (Kellie Knight-Stacey), Senior Governance Officer (Kyla Walker) and Governance Officer (Chelsie Butler)

be excluded from attendance at the meeting for Agenda Item - CONFIDENTIAL - Appointment of an Interim Chief Executive Officer

a. The Council is satisfied that, pursuant to Section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the personal affairs of the candidates for the Interim Chief Executive Officer position.

b. 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 disclosure of details would disclose the personal affairs of any person (living or dead).

CARRIED

OC2342026 - *retained in confidence*

OC2352026 - *retained in confidence*

OC2362026

Moved: Cr Stewart Burns

Seconded: Cr Carol Schofield

That having considered this agenda item Agenda Item - CONFIDENTIAL - Appointment of an Interim Chief Executive Officer in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999, the Council;

a. Pursuant to Section 91(7)(a) of the Act orders that the report and minutes be retained in confidence an Employment Agreement has been executed between both parties or otherwise determined by the Chief Executive Officer: and

b. The public be readmitted to the meeting.

CARRIED

21. CLOSURE

Mayor Moira Jenkins declared the meeting closed at 8:25pm