22 October 2026

Contact for Apologies: Chelsie Butler
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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: **Monday, 26 October 2026**

TIME: **5:30pm**

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

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

Yours faithfully



Chris White
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. 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

Cr Marilyn Henderson

4. ITEMS ADJOURNED AND/OR LYING ON THE TABLE

5. MINUTES OF THE PREVIOUS MEETING

5.1. Minutes of the Previous Meeting - 28 September 2026

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Chelsie Butler

RECOMMENDATION

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

INFORMATION

The purpose of this report is to confirm the minutes of the previous meeting in accordance with Regulation 8(1) of the *Local Government (Meeting) Procedures 2013*.

The minutes of the Ordinary Council meeting held on Monday, 28 September 2026 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:

Local Government (Meeting Procedures) Regulations 2013

- Regulation 8 - Minutes

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications associated with endorsing the minutes of the previous meeting.

No additional funds are required.

CONSULTATION

Council Members

Interim Chief Executive Officer - Graham Pathuis

6. DEPUTATION

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

7. QUESTIONS FROM THE GALLERY

7.1 Regional Community, Sport and Recreation Precinct Independent Review – Mr Peter Charles

7.2 Regional Community, Sport and Recreation Precinct Independent Review – Mr Greg Powell

8. PETITIONS

Nil

9. OFFICE OF CHIEF EXECUTIVE OFFICER

9.1. Outstanding Resolutions - October 2026

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Chelsie Butler

RECOMMENDATION

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

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 1 details items still to be actioned and those completed since the Ordinary Council meeting held on Monday, 28 September 2026.

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 IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications associated with receiving the Outstanding Resolutions report.

No additional funds are required.

CONSULTATION

Interim Chief Executive Officer - Graham Pathuis

Relevant Staff

ATTACHMENTS

Attachment 1 - Outstanding Resolutions - October 2026

Attachment 1 - Outstanding Resolutions - October 2026

COMPLETE

	Meeting Date	Description	Details	Comments
1	24/08/2026	OC2682026 - Ordinary Council Meeting - December 2026	That the Ordinary Council meeting for December 2026 be held in the Civic Centre, Council Chambers at 1 Bay Road, Victor Harbor on Monday, 16 December 2026 at 5:30pm.	Date corrected to Monday, 14 December 2026 at September Ordinary Council Meeting via confirmation of minutes. The December Ordinary Council Meeting date has been added to calendars and published on the website.
2	28/09/2026	OC2982026 - Adjourned Item - Draft Recreational Boating Strategy 2026	That Council adopt the updated Recreational Boating Strategy 2026.	The Recreational Boating Strategy has been uploaded to Council's website.
3	28/09/2026	OC2992026 - Adjourned Item - Amendment to Fees and Charges - Encounter Community Centre	That Council adopt the amendments to the 2026/27 Fees and Charges to include venue hire, community group fees and retail sales for the Encounter Community Centre as provided at Attachment 1, subject to the inclusion of up to 75% for discounted room hire.	Fees and charges have been updated as per the resolution.
4	28/09/2026	OC3062026 - Election of Local Government Association President 2026-2028	That Council authorise the Interim Chief Executive Officer to complete and submit the ballot in accordance with Council's resolution.	Ballot submitted 6 October 2026 as per the resolution.
5	28/09/2026	OC3142026 - Reviewed - Media, Communications and Social Media Policy	That Council defer consideration of the reviewed Media, Communications and Social Media Policy to the October Ordinary Council meeting to enable it to be discussed at a Council Member Briefing Session.	Briefing session held 12 October 2026. Report included within this agenda.
6	28/09/2026	OC3212026 - Community Grant Application - Business Victor Harbor	That Council approve a one-off financial contribution of $2,000 to Business Victor Harbor towards the delivery of the Community Bank Fleurieu Future Workforce Awards to be held on 18 November 2026, subject to: a.the City of Victor Harbor receiving naming rights to one award category; b.the City of Victor Harbor being acknowledged as a supporter of the event in relevant promotional and event material; and c.Business Victor Harbor providing Council with a post-event financial acquittal and summary of event outcomes.	Business Victor Harbor have been advised of Council's decision and funding conditions.
7	28/09/2026	OC3242026 - Request to Name Reserve - Marjorie Tripp Reserve	That Council endorse the naming of an unnamed reserve located at 30 Yalladoola Road, Victor Harbor SA 5211, comprising of CT6294/759 and CT6294/762 to Marjorie Tripp Reserve, in accordance with Section 219(1) of the Local Government Act 1999, and that the required notification is undertaken, with the effective date of the change being the date of this resolution.	Notices have been published in the local Newspaper and Government Gazette.
8	28/09/2026	OC3282026 - Fleurieu Region Community Services Advisory Committee - 8 September 2026	That Council authorise the Mayor write to relevant Commonwealth and State Government Ministers, with copies provided to local Federal and State Members of Parliament, requesting consideration be given to providing adequate advance notice of decisions regarding the continuation, renewal or cessation of funding for grant-funded community programs and services.	Letters sent 14 October 2026.
9	28/09/2026	OC3312026 - Matter of Urgency - Nomination for the Local Government Finance Authority Board	That Council nominate its incoming Chief Executive Officer, Mr Chris White, commencing with the City of Victor Harbor on 19 October 2026, for appointment as one of the two local government representatives on the Board of Trustees of the Local Government Finance Authority of South Australia.	Nomination lodged 19 October 2026 as per the resolution.
10	28/09/2026	OC3342026 - Motion Without Notice - Nangawooka Flora Reserve Water Allocation - Cr Angela Schiller	1.That administration investigates retaining 100% of Nangawooka Flora Reserves previous water allocation for this Spring and Summer and coming years. 2.That Administration bring back a report to the October 2026 Ordinary Council meeting, reporting its findings and financial implications.	A report has been prepared and is included within this agenda.

OUTSTANDING

	Meeting Date	Description	Details	Comments
11	28/01/2025	OC12025 - Adjourned Item - Speed Zone Review - The Esplanade/Flinders Parade	1. That Council support a speed zone reduction from 30km/h for The Esplanade/Flinders Parade, Victor Harbor between Albert Place and Coral Street, including Albert Place and Coral Street including Albert Place east of Crozier Road Intersection to the Esplanade. 2. That Administration request a formal speed zone review and provide feedback to the Department for Infrastructure and Transport to support the final authorisation and implementation of the speed limit change. 3. That Council endorse any changes to the speed zone signage as guided by the Department for Infrastructure and Transport.	Administration has commenced the process for requesting a speed zone review from the Department for Infrastructure and Transport. We do not have a proposed end date for this item as DIT can take between 6 months and 3 years to provide feedback. DIT has confirmed that they are aware of the process. Email received from DIT stating they are hoping to provide a response by the end of July 2026. Feedback received in August 2026 and further advice being sought from DIT.
12	27/01/2026	OC272026 - Motion on Notice - Elected Member Attraction and Retention Strategy/Policy	In the lead up to the 2026 Local Government Election, the City of Victor Harbor look to soon start encouraging local community members to consider nominating for Council including: 1. Holding information and Q&A sessions about the role entails; 2. Consulting with the community as to what would make them more likely to consider running for Council and what is currently holding them back; and 3. Alongside the consultation, the City of Victor Harbor review the outdated Elected Members Allowance & Benefits policy to bring Local Government into the 21st century and help attract a broader range of high quality, community minded candidates to run for Council.	In progress – Administration has developed a community engagement strategy for the 2026 Local Government Elections, which includes hosting information sessions and attending local groups and organisations to promote nominating to be a Council Member. The Council Member Allowances and Benefits Policy is also under review and will be presented to Council before the Caretaker period begins.
13	23/02/2026	OC482026 - Proposed Road Closure - Unmade Road Reserve - Brown Hill	That Council: i.resolve to commence proceedings under the Roads (Opening and Closing) Act 1991 for the closure of that portion of unmade road reserve separating Allotments 3 and 4, Certificate of Title 6301/186, Deposited Plan 131683; with the intention that upon closure and subject to negotiations and Council approval, a delineated portion of the said land be disposed of to the adjoining property owner of 15 Lincoln Park Drive, Hindmarsh Valley for the purpose of amalgamation with that property owners' Certificate of Title, with the balance of the land to be incorporated into the parcel intended for subdivision and subsequent acquisition by Council; and ii.proceed with obtaining an identification survey and one independent certified land valuation to enable the Chief Executive Officer to negotiate the terms of the proposed sale of the land; and iii.a further report be submitted for Council consideration to proceed with the road reserve closure and sale of the land based on the agreed sale details.	i. Road closing process commenced February 2026 subject to Land Division completion. ii. Process commenced for obtaining an identification survey and one independent certified land valuation.
14	24/08/2026	OC2862026 - Memorial Plaque and Paver Policy Update	That consideration of this item be deferred to the September 2026 Ordinary Council Meeting to allow further discussion on the memorial plaque process following recent community concerns.	The Memorial Plaque and Paver Policy update was considered at a Briefing Session held on 7 September 2026. Further work on the Policy is being undertaken to consider and incorporate feedback received through the briefing process. An updated report will be presented to a future Ordinary Council Meeting once this work has been completed.
15	28/09/2026	OC3162026 - Regional First Home Buyer Stamp Duty Petition - Endorsement and Authority to Affix Common Seal	That Council: 1.Endorses the completed petition to the South Australian House of Assembly seeking a waiver of Stamp Duty for first home buyers in regional areas on the first $750,000 of the purchase price. 2.Notes that the petition campaign was conducted between December 2025 and August 2026 and resulted in the collection of 1,506 signatures. 3.Authorises the Mayor and Interim Chief Executive Officer to affix the Common Seal of the City of Victor Harbor to the petition and submit it to the South Australian House of Assembly.	Letter sent to Ms Lou Nicholson, State Member for Finniss, seeking her willingness to present the petition to the House of Assembly.

16	28/09/2026	OC3182026 - Proposed Lease of Community Land to the Victor Harbor Goolwa Sea Rescue Squadron - 43-47 George Main Road	That Council: a.Endorse the proposed lease arrangements and indicative lease area for the Victor Harbor Goolwa Sea Rescue Squadron at 43-47 George Main Road for the purpose of community consultation only; and b.Approve the Community Engagement Plan provided at Attachment 1 and the Community Information Sheet provided at Attachment 2; and c.Authorise Administration to undertake community consultation in accordance with section 202 of the Local Government Act 1999, the Community Engagement Charter and Council's Community Engagement Policy.	Consultation commenced on 12 October 2026 and closes on 3 November 2026. Community engagement materials distributed in accordance with the endorsed Community Engagement Plan. Community Engagement Summary report to be presented to Council following consultation.
17	28/09/2026	OC3332026 - Motion on Notice - Motorised E bikes - Mayor Moira Jenkins	That Council request Administration to prepare a report for Council that outlines: 1.the current legislative and regulatory framework governing electric bicycles, personal mobility devices and similar motorised devices in South Australia; 2.the respective roles and responsibilities of Council, the Department for Infrastructure and Transport (DIT), and South Australia Police (SAPOL) in relation to the regulation, management and enforcement of these devices; 3.any existing pathways, mechanisms, exemptions or processes available to seek restrictions, regulatory changes or advocacy outcomes regarding the use of such devices on shared use paths and other public spaces; 4.the types of information, evidence and supporting data that may be required to substantiate future applications, restrictions or advocacy to the State Government; and 5.the options available to Council moving forward to address community concerns relating to the safe operation of electric bicycles, personal mobility devices and similar motorised devices within the Council area.	Preliminary investigations are underway, including review of the current legislative framework, agency responsibilities and available regulatory and advocacy pathways. Information is being gathered to inform a future report to Council.

9.2. Mayoral Report - July to September 2026

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Bridget Perre

RECOMMENDATION

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

PURPOSE

The purpose of this report is to provide an update to Council in relation to Mayoral appointments for period July to September 2026.

BACKGROUND

The Mayoral Report is presented quarterly to provide Council Members with an update in relation to Mayoral appointments for the reporting period.

COMMENTARY

Below is a schedule of Mayoral appointments for period July to September 2026.

Date	Activity
1 July 2026	Constituent Meeting
6 July 2026	Meeting with Minister Bourke
9 July 2026	Arts and Culture Advisory Group Meeting
10 July 2026	Fleurieu FM Radio Interview
13 July 2026	Special Council Meeting
14 July 2026	Fleurieu Region Community Services Advisory Committee Meeting Southern Fleurieu Hospital Advisory Committee Meeting
15 July 2026	Information and Briefing Session
17 July 2026	Southern and Hills LGA Special Board Meeting
20 July 2026	Principal Installation Service - Encounter Lutheran College Constituent Meeting Senior Management Team Agena Review
21 July 2026	Encounter Centre Meeting South Australian Regional Organisation of Councils LGA Pre Meeting

Date	Activity
22 July 2026	Constituent Meeting Constituent Meeting
23 July 2026	South Australian Regional Organisation of Councils LGA Meeting - Port Lincoln LGA Board of Directors Meeting - Port Lincoln
24 July 2026	LGA Board of Directors Meeting - Port Lincoln
27 July 2026	RSL Flag Raising, Avenue of Honour Council Meeting Preparation Ordinary Council Meeting
29 July 2026	Information and Briefing Session Community Information Session - ShineHub Special Council Meeting
30 July 2026	Civic Classes
3 August 2026	Audit and Risk Committee Meeting
4 August 2026	Interim CEO and Mayor Weekly Meeting
5 August 2026	Meeting with Minister Champion Victor Harbor Oval Complex Planning Group Meeting
6 August 2026	Lions Mad Minute Speaking Competition - Investigator College Artist Talk Through Our Eyes - Coral Street Art Space Disability Access and Inclusion Advisory Committee Meeting TEDx - Open Mic Night - Mclaren Vale
7 August 2026	Constituent meeting
8 August 2026	Exhibition Opening / Through Our Eyes - Coral Street Art Space
10 August 2026	Happy FM Radio Interview Constituent Meeting Constituent Meeting Constituent Meeting Information and Briefing Session
11 August 2026	Media filming Southern Fleurieu Hospital Advisory Committee Meeting

Date	Activity
	Fleurieu Sings / School Edition - Investigator College
12 August 2026	Southern and Hills LGA Meeting
13 August 2026	Judging 202 Mayor's Short Story Challenge LGA Board - Special Meeting and Board Workshop
14 August 2026	Southern and Hills LGA Board meeting - Kangaroo Island
17 August 2026	Senior Management Team Agenda Review Information and Briefing Session
18 August 2026	60th Anniversary Service - Vietnam Veterans Day Constituent Meeting Recreation Centre Management Committee Meeting
24 August 2026	Constituent Meeting Council Meeting Preparation Ordinary Council Meeting
25 August 2026	Announcement / Minister Brown / Road Safety and SAPOL - Hindmarsh Valley AHA SA Regional Luncheon - McCracken Country Club House of Representatives Standing Committee - Inquiry into Local Government Funding - Parliament House
27 August 2026	Nominations Committee Meeting Fleurieu Study Hub Advisory Meeting
31 August 2026	Constituent Meeting Special Council Meeting Great Southern Netball Association Junior Presentation
2 September 2026	2027 Victor Harbor Art Show Naming Rights Dinner
3 September 2026	Interim CEO and Mayor Meeting 2026 Mayor's Short Story Challenge Presentation Evening
7 September 2026	Friends of the Library Talk Information and Briefing Session Great Southern Netball Association Senior Presentation
8 September 2026	Interim CEO and Mayor Meeting

Date	Activity
	Media Meeting Southern Fleurieu Hospital Advisory Committee Meeting
9 September 2026	Transport Forum - Victor Harbor Bowling Club Arts and Culture Grant Assessment Meeting
11 September 2026	Candlelight Vigil / Nepalese Community
13 September 2026	Friends of Nangawooka Flora Reserve - The Spring Open Day
15 September 2026	Interim CEO Weekly meeting Men's Shed Visit Constituent Meeting
16 September 2026	Meeting with Sam Telfer, Shadow Minister for Local Government - Adelaide Southern and Hills LGA Meeting CEO Performance Review Committee Meeting
17 September 2026	Constituent Meeting
18 September 2026	5mu Live Broadcast - Rock N Roll Festival
19 September 2026	Junior Fashon on the Fleurieu Judge - Rock N Roll Festival
20 September 2026	Fashion on the Fleurieu Judge - Rock N Roll Festival Prize Presentation at Rock N Roll Festival
21 September 2026	Dementia Awareness Forum Peace Pole Event State Reception to Farewell Her Excellency and Mr Bunten
22 September 2026	Interim CEO Weekly meeting
23 September 2026	Local Government Association Procurement Board Meeting - Adelaide
24 September 2026	Citizenship Ceremony RDA YAY Celebrating our Region
25 September 2026	Local Government Risk & Development Scheme Advisory Committee LGA President's Webinar
27 September 2026	2026 Vintage Grand Prix Carnival - 90th Anniversary
28 September 2026	Council Meeting Preparation Ordinary Council Meeting
29 September 2026	South Australia Regional Organisation of Councils LGA Meeting

Date	Activity
	Constituent Meeting
30 September 2026	Business Victor Harbor Meeting

RISK ASSESSMENT

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

Information - No risks have been assessed in relation to the report as it has been provided for information only and no formal decision of Council is required.

REFERENCES

City of Victor Harbor Community Plan 2030

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

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in receiving the Mayoral Report.

No additional funds are required.

CONSULTATION

Mayor - Dr Moira Jenkins

ATTACHMENTS

Nil

9.3. Reviewed - Media, Communications and Social Media Policy

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Kyla Walker

RECOMMENDATION

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

PURPOSE

The purpose of this report is for Council to adopt the reviewed Media, Communications and Social Media Policy.

BACKGROUND

Section 132A of the *Local Government Act 1999*, specifies Council must ensure that appropriate policies, practices and procedures are implemented and maintained in order to ensure compliance with any statutory obligations and to achieve and maintain standards of good public administration.

Policies are an important part of ensuring the City of Victor Harbor has good governance practices. In addition, it is a way to protect the organisation and provide the community with confidence the Council will undertake operations in a consistent, fair and equitable way.

The Media, Communications and Social Media Policy was adopted at the Ordinary Council Meeting held on 27 March 2023. Prior to this, the Council had separate Media and Social Media policies. These individual policies were revoked in conjunction with the adoption of the consolidated Media, Communications and Social Media Policy in 2023.

About the Media, Communications and Social Media Policy

The Policy sets out clear expectations for how the City of Victor Harbor communicates with media and community, including through both traditional and digital media. It identifies who may speak officially on the City's behalf and helps ensure information is accurate, timely, respectful and consistent.

COMMENTARY

The Media, Communications and Social Media Policy has been reviewed in consultation with the Senior Management Team, key stakeholders and subject matter expert staff. the review has considered legislative requirements, current communication practices and some practical challenges experienced in applying the policy. The suggested amendments do not

fundamentally change Council's already endorsed approach within the Media, Communications and Social Media Policy. The changes are suggested to make the policy clearer, more contemporary and easier to apply across the wider range of platforms Council now manage.

A summary of the amendments is provided below:

- Clause 2 - Scope: Expanded to include Council-managed communication and engagement platforms that support tourism, visitor information and related services.
- Clause 4 - Legislation and Compliance: Removed legislation references that no longer required.
- Clause 5 - Definitions: Added a definition for Digital Communications Platform to broaden the policy's application beyond social media channels.
- Clause 6.1 - Media, Communications and Social Media Principles: Updated wording to support community feedback and dialogue through appropriate communication and engagement channels, without implying active Engagement via social media.
- Clause 6.2 - Using Council Communication Platforms: Expanded references to include trusted external communication sources.
- Clause 6.3 - Response to Traditional Media (Spokespersons): Added provisions clarifying that delegated staff responsible for tourism, visitor information and related services may provide information to media regarding events, attractions, visitor experiences, reflecting the current practice.
- Clause 6.6 - Moderation and Monitoring: Clarified that media and digital communication channels are generally monitored during normal business hours.

The review also introduced several new clauses added to address matters not currently covered within the Policy including:

- Clause 6.2.1 - Collection and management of information through communications channels
- Clause 6.2.2 - Communications during caretaker period
- Clause 6.2.3 - Emergency and crisis communications
- Clause 6.5 - Response to Ministers and Members of Parliament

At the Ordinary Council meeting held on 28 September 2026, Council resolved to defer consideration of the reviewed Policy to enable further discussion at a Council Member Briefing Session (OC3142026).

The purpose of the Policy is to provide a clear framework for the management and use of media, communication and digital communication platforms. The Policy does not restrict

debate, discussion or the expression of views by Council Members within the Council Chamber as part of Council's decision-making processes.

Council Member Briefing Session

A Briefing Session was held on 12 October 2026 to provide Council Members with an opportunity to discuss the proposed amendments and provide feedback on the draft Policy.

Council Members generally supported the intent of the Policy. Feedback primarily focused on improving clarity regarding spokesperson responsibilities, the distinction between official Council communications and personal views, and the application of the Policy to social media use for Council Members. Administration has taken on board the feedback received by the Council Members, with the majority of the feedback relating to clarification of intent rather than seeking substantive policy changes.

Existing provisions were considered sufficient to address concerns regarding the Mayor's ability to delegate spokesperson responsibilities. The most significant feedback related to the expression of personal views by Council Members through social media and other platforms. Council Members sought greater clarity regarding the distinction between personal opinions and Council's adopted position, particularly where comments relate to Council business. A summary of the feedback and Administration's responses are provided below:

Delegation of spokesperson responsibilities

Feedback: Clarification was sought regarding the ability of the Mayor to delegate spokesperson responsibilities to the Deputy Mayor or other Council Member.

Response: Clause 6.3 of the policy already captured this clause. No amendments are proposed.

Use of social media

Feedback: The clause 6.7 should refer only to Council's digital communications platforms.

Response: Council's digital communications platforms are those that are administered by Council staff. The Policy also applies to the use of social media accounts that are not owned by Council but are used by Council Members to communicate Council business. Further guidance for Council Members' use of these platforms is provided in Clause 6.7.1.

Personal views and social media use

Feedback: Council Members sought clarity regarding the circumstances when they may express personal views on social media and other public platforms. Feedback highlighted the need to clearly distinguish between a Council Member's personal opinion and Council's adopted position.

Feedback further recommended that Clause 6.7.1 be removed and substantially redrafted to ensure it cannot be interpreted as regulating the lawful expression of personal views by Council Members acting in a private capacity. It was also suggested that references to undermining community trust or confidence in Council should be removed.

A new clause was proposed to expressly confirm that Council Members may communicate personal views as private individuals, provided they do not purport to speak on behalf of Council, disclose confidential information, misuse their position, or otherwise breach applicable legislation or behavioural standards.

Response: Council Members may express their personal opinions and views, including about a decision or position of Council, provided they make it clear those views are their own and do not represent the views of the Council. For example: "*These are my personal views as a Council Member and do not represent the views of the City of Victor Harbor*".

An amendment has been incorporated into the Policy to include the following statement "*These are my personal views as a Council Member and do not represent the views of the City of Victor Harbor".* However, no further amendments are proposed on the basis that Clause 6.7 clearly states Council Members using digital communication platforms must be respectful, comply with relevant legislation and Council policies, protect confidential information and avoid behaviour that could damage Council's reputation. In relation to Clause 6.7.1, this clearly states that Council Members can use social media and express their personal views, but they should make it clear they are not speaking on behalf of Council, act respectfully, protect confidential information, and avoid conduct that could damage public confidence in Council or relationships with colleagues. Failure to do so may result in a Behavioural Standards complaint.

Guidance and examples

Feedback: Council Members suggested that practical examples and guidance material would assist Council Members in understanding what they can and cannot say when engaging publicly.

Response: Administration considers that detailed examples are more appropriately provided through Council Member induction, training materials and supporting guidance documents rather than within the Policy itself.

Definition

Feedback: Clarification was sought regarding whether spokesperson delegations should be verbal or written and a definition should be included.

Response: A definition that clarifies delegation may be verbal or written has been included in the reviewed Policy.

Amendments Arising from the Briefing Session

As a result of the feedback received at the briefing session, the following additional amendments have been incorporated into the Policy:

- Clause 2 - Scope: Replaced the paragraph "*This policy does not cover public consultation or general Council correspondence, or the use of social digital media in a personal capacity where no reference is made to Council related matters.*" with "*This Policy does not cover forms of Community Engagement or general Council*

correspondence, or the use of social media in a personal capacity where no reference is made to Council related matters."

- Clause 5 - Definitions: Added a definition of *Delegation* to clarify that spokesperson delegations may be made by the Mayor or Chief Executive Officer and may be provided verbally or in writing.

- Clause 6.7.1 - Council Members: Inclusion of an example statement that may be used by Council Members when expressing personal views.

The reviewed Media, Communications and Social Media Policy with the recommended changes tracked, is provided at Attachment 1.

RISK ASSESSMENT

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

Legal and Compliance - The Media, Communications and Social Media Policy has been reviewed against legislative provisions and other best practice standards to ensure that the policy is effective. 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 132A - Related administrative standards

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in Council adopting the reviewed Media, Communications and Social Media Policy.

No additional funds are required.

CONSULTATION

Council Members at a Briefing Session held 12 October 2026

Group Manager Governance and Finance - Kellie Knight-Stacey

Strategy and Engagement Business Partner - Michelle James

ATTACHMENTS

Attachment 1 - Reviewed - Media, Communications and Social Media Policy

Attachment 1 - Review - Media Communications and Social Media Policy

POLICY

Policy Name	Media, Communications and Social Media Policy
Policy Category	Governance
Department / Officer	Governance / Chief Executive Officer
Date Adopted	27 March 2023
Date/s Reviewed	26 October 2026
Review Frequency	Three years
Strategic Plan Reference	Aspiration 6 – We are a financially sustainable and well-governed organisation
Attachments	

1. Purpose

This policy establishes Council's commitment to effectively engage with the media, wider community and stakeholders in a professional, ~~timely~~ prompt and positive manner. It also nominates the official spokesperson(s) for the City of Victor Harbor. ~~for all forms of response and public comment~~. ~~This policy also recognises the opportunities~~ increasing ~~that~~ digital~~social media (including social media) plays in~~ connecting with others, as a source of news and information, and to conduct business and marketing provides for dynamic and interactive communication which can complement~~ and increasingly replace traditional communication methods.~~

2. Scope

This P~~p~~olicy applies to all official engagements and communications provided by employees, Council Members, volunteers, agents and contractors on behalf of the City of Victor Harbor with the public (using traditional media and social media). This policy also applies to public use of official City of Victor Harbor social media platforms.

~~This policy does not cover public consultation or general Council correspondence, or the use of social~~ digital ~~media in a personal capacity where no reference is made to Council-related matters.~~

This Policy does not cover forms of Community Engagement or general Council correspondence, or the use of social media in a personal capacity where no reference is made to Council related matters.

This Policy also applies to Council-managed communication and engagement platforms that support tourism, visitor information, destination marketing, cultural, community and economic

development objectives. These platforms communicate on matters not directly related to Council governance or decision-making but remain subject to Council oversight and operational procedures.

3. Policy Statement (Summary)

Council requires a consistent and professional corporate approach when engaging in two-way connections with the media and the community, whether through traditional or ~~social~~ digital media.

4. Legislation and Compliance

~~Relevant legislation includes, but is not limited to the following:~~

- Civil Liability Act 1936 (SA)
- Copyright Act 1968 (~~Cth~~Cth)
- ~~Criminal Law Consolidation Act 1935 (SA)~~
- Defamation Act 2005 ~~(SA)~~
- ~~Fair Trading Act 1987 (SA)~~
- ~~Fair Work Act 1994 (SA)~~
- Freedom of Information Act 1991 ~~(SA)~~
- Local Government Act 1999 ~~(SA)~~ – Section 62 and 109
- Local Government (Elections) Act 1999 ~~(SA)~~
- ~~Equal Opportunity Act 1984 (SA)~~
- ~~Australian Human Rights Commission Act 1986 (Cth)~~
- ~~Spam Act 2003 (Cth)~~
- Privacy Act 1988 (Cth)
- State Records Act 1997 (SA)
- ~~Civil Liability Act 1936 (SA)~~

5. Definitions

Delegation means an authorisation given either verbally or in writing by the Mayor or Chief Executive Officer to another person to communicate or act on their behalf.

Digital Platforms means electronic systems, applications, websites and online services used to create, publish, receive, store or share information and content in a digital environment, including websites, social media platforms, blogs, emails, e-newsletter, messaging and video-sharing services.

~~***Traditional media*** – Includes newspapers, radio, television, publications, letters, press releases etc.~~

Social media ~~–~~means Digital Platforms ~~and applications~~ that enable users to create, ~~and~~ share and interact with content and~~to~~ participate in online networking and discussion. ~~social networking, allowing the community to comment, provide feedback and engage online. Social media includes the following: Facebook, YouTube, Instagram, LinkedIn, blogs and more.~~

~~***Digital platforms*** – Includes social media, email, eNewsletter/EDMs, text messaging, websites, videos etc.~~

Moderation ~~—is~~means the editing or removal of content posted to a social media site. For example, to remove offensive or defamatory materials.

Post-moderation of content – Allows all user-submitted content to appear online automatically, where it will then be reviewed and removed or edited at a later time if necessary.

Pre-moderation of content —Allows for the review and approval of all user-submitted content before it appears online.

Staff — means any person carrying out duties or performing tasks for and on behalf of the City of Victor Harbor whether they are paid or unpaid, including employees, contractors, consultants, volunteers, or students including any other person authorised to undertake duties on behalf ~~that are involved with~~of the City of Victor Harbor.

Traditional media means newspapers, radio, television, magazines, newsletters, media releases, publications, letters and other recognised broadcast or print media channels.

6. Policy Content

6.1 Media, Communications and Social Media Principles

Council's use of traditional and digital platforms aims to:

- inform the community about the policies, service levels, programs, services and initiatives of the City of Victor Harbor in line with aspirations within the Community Plan.
- ensure the City of Victor Harbor is visible, accessible and accountable to the community and key stakeholders.
- drive community participation and engagement with the programs, activities and events delivered or supported by the City of Victor Harbor.
- increase and encourage **two-way** communication between the community and the City of Victor Harbor to enhance the council's value perception.
- Ensure communications are accessible, inclusive and provided in formats that support participation by all members of the community wherever reasonably practical.

6.2 Using Council Communication Platforms

The Council's communications and engagement platforms, including traditional and digital methods, may be used in a variety of ways to connect and share information with the City of Victor Harbor community. Both traditional and digital platforms may provide details and specific information. Where appropriate, communication channels will direct users to the most relevant source of information, including Council's website or other relevant sources~~, however all information will lead back to Council's main source of information – the City of Victor Harbor corporate website.~~ Opportunities to be involved in decision making relating to Council projects and services will be shared

across these platforms, with formal decision-making processes not conducted across these platforms.

The role of the Communications Team is to provide advice on appropriate communications and engagement platforms that will be used for Council purposes with oversight of all content.

6.2.2 Caretaker Period Communications

During a caretaker period, all media and communications must comply with Council's Caretaker Policy.

6.2.3 Emergency and Crisis Communications

In emergencies, disaster or crisis situations, public communications will be coordinated by the Chief Executive Officer or delegate. Information released through Council communication channels must be accurate, timely and consistent with advice of relevant authorities.

6.3 Response to Traditional Media (Spokespersons)

The Mayor and Chief Executive Officer are the authorised spokespersons for Council. The Chief Executive Officer may authorise other officers to speak with the media on specific matters. Council Members speaking to the media in their personal capacity must make it clear they are not speaking on behalf of Council.~~nominated as the official spokespersons of the Council for traditional media (when speaking with journalists from print and broadcast media outlets) and have the authority to make comments to the media on behalf of Council. Only the official spokespersons, or officers authorised by the Chief Executive Officer for specific situations, may give any information or speak to the media on behalf of Council.~~

Where appropriate or expedient for a specific issue, the Mayor may delegate their responsibility as principal spokesperson for the Council to the Deputy Mayor or another Council Member.

Media enquiries are generally received by the Communications Team who coordinate and determine the appropriate method of response. Council has a Communications Team with professional staff who can respond to media enquiries in consultation with the Mayor and Chief Executive Officer (or Chief Executive Officer's delegate/s).

If the Mayor or Chief Executive Officer is contacted directly by the media, they have the authority to respond directly.

When Council Members speak to the media, they speak as individual ~~Councillors~~ Council Members and not on behalf of the City of Victor Harbor and must make this clear in their response. When the Mayor is not speaking on behalf of Council, they must also make it clear that they are speaking as an individual. Council Members should direct all media inquiries to the Communications Team.

Council staff shall communicate with the media only if authorised by the Chief Executive Officer and may not make any personal comment on any issues, via traditional or digital platforms.

~~Authorised~~ Delegated staff responsible for tourism, visitor information, destination marketing, cultural and community promotion activities may provide information to media organisations regarding events, attractions, visitor experiences, operational activities and promotional campaigns within their area of responsibility, provided such communications do not represent Council's official position on policy, governance or strategic matters ~~unless otherwise authorised~~/.

6.4 Response to Social Media (Spokespersons)

~~Only the official spokespersons, or staff authorised by the Chief Executive Officer (for specific situations), may provide information via Council's official digital and social media channels.~~

Official statements relating to Council policy, decisions, governance matters or Council's official position may only be made by the authorised spokespersons or officers authorised by the Chief Executive Officer.

Authorised staff may publish content and undertake routine engagement activities through Council-managed digital communications platforms, including responding to enquiries, comments and messages, providing visitor information, promoting events and activities and supporting community participation, in accordance with operational requirements.

Routine operational responses do not require a specific delegation where the response is factual, within the employee's area of responsibility and does not communicate Council policy, governance positions, advocacy matters or official council decisions.

6.5 ~~Ministerial Response~~Response to Ministers and Members of Parliament

The Mayor and Chief Executive Officer are the authorised representatives of Council for correspondence and responses to Ministers, Members of Parliament and government agencies unless otherwise delegated by the Chief Executive Officer.

6.~~5~~6 Moderation and Monitoring

~~Moderation applies to social media only. The City of Victor Harbor monitors and moderates its social media pages to remove anything defamatory, or may turn off commenting in certain circumstances. The Council's terms of use state how we expect users to engage with our social media pages and this is available at www.victor.sa.gov.au.~~

~~Council's social media channels should be regularly monitored and maintained to ensure appropriate use. This includes removing inappropriate content in a timely manner and keeping formal records of social media activity in line with Council's Records Management Policy.~~

Council monitors and moderates Council-managed social media channels in accordance with published terms of use.

Content that breaches those terms may be removed, and commenting functionality may be restricted where appropriate. Council-managed channels are generally

monitored during normal business hours and should not be used to report emergencies or service requests.

6.76 Use of Social Media

All participants using digital communications platforms must act respectfully, comply with applicable legislation and council policies, protect confidential information and avoid conduct that may harm Council's reputation. Additional requirements for Council Members and staff are outlined below:

~~Any personal use of digital communications is at the individual community member, staff member or Council Member's discretion. However, it is important that individuals are aware and responsible for the implications of participating where they reference Council, their relationship with Council or its brands, or interact with a Council social media channel.~~

6.7.1 *Council Members*

Council Members should use social media and other public digital media platforms in accordance with the Behavioural Standards for Council Members.~~,~~ All Council Member social and digital media accounts should have a prominent statement that clearly identifies they are not speaking on behalf of Council. For example "*These are my personal views as a Council Member and do not represent the views of the City of Victor Harbor.*" In expressing individual views, Council Members must do so in a way that does not undermine the community's trust or confidence in Council and maintains respectful relationships with fellow Council Members and staff. For Council Members, breaching this policy may result in a Behavioural Standards complaint.

6.7.2 *Council Staff*

Council staff using private social media channels to comment on Council related matters should do so in accordance with the ~~Code of Conduct for~~Behavioural Standards for Employees. Comments should be clearly identified as their own opinions, be accurate and factual, and not disparage Council, Council Members, employees, volunteers or contactors etc.

Staff must not disclose confidential information, publish internal council discussions, misuse council branding, or engage in online conduct that may harm council's reputation or breach council policies.

Any staff found breaching this policy may be subject to disciplinary action, performance management and/or review. Serious breaches may result in suspension or termination of employment or association in accordance with Council policies. Any content that breaches the policy guidelines will be recorded and kept on personnel records.

6.7.3 *All Participants*~~—~~

When participating in open communications via traditional or digital platforms, participants should behave with courtesy, honesty and respect. 'House rules' will

be shared with all those who engage in any City of Victor Harbor digital &/or social media platform.

The City of Victor Harbor has the discretion to hide and/or turn-off ~~commenting~~ comments on its social media channels. The Council will remove any content that falls into the following categories:

- Offensive, abusive or violent language
- Hateful or discriminatory comments
- Links or comments containing sexually explicit content ~~material~~material.
- Violations of copyright or intellectual property rights
- Spam, link baiting or files containing viruses that could damage the operation of other people's computers or mobile devices.
- Attacks on specific groups or any comments meant to harass, threaten or abuse an individual.
- Commercial or personal solicitations, including crowdfunding campaigns.
- Trolling posts or deliberatively disruptive conversations
- Inaccurate or misleading statements about the City of Victor Harbor, its staff and Council Members

Anyone who chooses to repeatedly break the house rules will be removed from Council platforms.

All social media channels are a public forum and information shared should be intended for the ~~general~~ public. Participation is at your own risk, and you take personal responsibility for your comments, your username and any information provided.

6.8 Complaints

All complaints and grievances about the City of Victor Harbor and its services should be formally reported to 8551 0500 or emailed to localgov@victor.sa.gov.au. Please refer to the Council's Complaints Handling Policy for further information.

7. Risk Management

This policy will assist Council to mitigate risks associated with potential public relations, governance and legislative compliance matters.

8. Implementation/Delegations

The Chief Executive Officer is the delegated authority to implement this policy.

9. Related Documents

~~This policy should be read in conjunction with:~~
Behavioural Standards for Council Members
~~Code of Conduct~~Behavioural Management for Employees
Caretaker Policy
Community Engagement Policy
Records Management Policy

Delegations Register

~~Acceptable use policies for email, internet, digital equipment and electronic communications~~
~~Privacy Policy~~
~~Public Consultation Policy~~
~~Caretaker Policy~~

10. Availability of Policy

This policy is available on Council's website at www.victor.sa.gov.au. ~~It may also be inspected or purchased at the Principal Office of the Council at 1 Bay Road, Victor Harbor.~~

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

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Suzannah Sheldon

RECOMMENDATION

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.

PURPOSE

The purpose of this report is to consider an application received from The Salvation Army for a discretionary 100% council rate rebate for properties at 30 Missen Avenue, Hayborough, 46 Sutherland Avenue, Hayborough and 52 Prime Boulevard, Encounter Bay.

BACKGROUND

Under Section 166 of the *Local Government Act 1999* (the Act), Council may grant a discretionary rebate of up to 100% of rates where an application satisfies one of the prescribed categories outlined in the Act.

The granting of a discretionary rebate, and the amount of any rebate granted, is a matter for Council to determine having regard to the circumstances of the application and the relevant provisions of the Act.

The application has been made under Section 166(h) of the Act, which relates to land used to provide accommodation for the aged or disabled.

COMMENTARY

The Salvation Army has submitted applications seeking a 100% discretionary rate rebate for three residential properties:

- 30 Missen Avenue, Hayborough
- 46 Sutherland Avenue, Hayborough
- 52 Prime Boulevard, Encounter Bay.

Copies of the applications are provided as Attachments 1 to 3.

The applicant has advised that the properties are used to provide accommodation, pastoral care and welfare support for elderly former ministers of The Salvation Army. The applications further state that any savings resulting from a rates rebate would assist The Salvation Army in delivering a range of charitable services, including homelessness support, emergency relief, family and domestic violence programs and spiritual care initiatives.

Supporting information provided with the applications includes the ACNC Certificate for The Salvation Army (South Australia) Property Trust provided at Attachment 4, the Salvation Army (South Australia) Property Trust Act 1931 provided at Attachment 5, and The Salvation Army Australia Annual Report 2025, provided under separate cover due to size.

In considering the applications under Section 166(h) of the Act, Council must determine whether, and to what extent, it should exercise its discretion to grant a rebate having regard to the use of the land for which the rebate is sought.

The information provided indicates that the dwellings are occupied by elderly former ministers and are used in conjunction with support services associated with their ongoing wellbeing. While the current occupants are older persons, the properties provide accommodation to a defined group connected with the organisation, rather than accommodation made generally available to the broader aged or disabled community. This distinction is relevant when considering the extent of the community benefit arising from the particular use of the land.

It is also relevant to distinguish between the use of the properties and the broader charitable activities undertaken by The Salvation Army. While the supporting information, including the Annual Report, outlines the broader charitable activities of the organisation, the discretionary rebate applications before Council relate specifically to the use of the three properties.

The granting of a discretionary rebate and the level of any rebate awarded remain matters for Council's determination. In exercising this discretion, Council may have regard to the nature and extent of the community benefit generated by the land use, the degree to which that benefit extends beyond the organisation itself, the financial impact on the broader ratepayer base and the precedent that may be established for future applications.

In this instance, the benefit arising directly from the use of the properties is primarily directed to former ministers of The Salvation Army. For this reason, a 100% rebate is not recommended.

Council may also wish to consider the broader implications of granting a 100% rebate. Approval of a full rebate for accommodation provided to former ministers or members of an organisation could give rise to similar applications from other religious, charitable or community organisations providing accommodation for current or former employees, office holders, clergy or members. This could increase the amount of rate revenue foregone through discretionary rebates and consequently the proportion of Council's rating requirement met by other ratepayers.

RISK ASSESSMENT

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

Legal and Compliance - The recommendations in this report are in line with legislative compliance and are consistent with the current practices and previous decisions of Council. The risk is assessed as ***low.***

Financial Management - There are no financial implications in denying this application. This risk is assessed as ***low***.

Should Council approve the discretionary rebate application, there will be an increase to the operating deficit of $7,400. Further discretionary rebate applications in response to the decision will further increase the operating deficit as well as contribute to future rate rises. This is assessed as ***high***.

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 166 - Rebate of rates - discretionary rebates

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in denying this Council Rate Rebate Application.

No additional funds are required.

If Council choose to approve the application there are insufficient funds in Project #10053 Rates Revenue for the 100% rebate which would be $7,400 (General Rates $7,240, Regional Landscape Levy $160) and the figure would need to form part of a Budget Review.

CONSULTATION

Group Manager Governance and Finance - Kellie Knight-Stacey

Manager Financial Services - Sharon Francis

ATTACHMENTS

Attachment 1 - Rate Rebate Application Form - 30 Missen Ave

Attachment 2 - Rate Rebate Application Form - 46 Sutherland Ave

Attachment 3 - Rate Rebate Application Form - 52 Prime Blvd

Attachment 4 - SA - Australian Charities and Not-for-profits Commission (ACNC) Certificate - The Salvation Army SA Property Trust

Attachment 5 - The Salvation Army (South Australia) Property Trust Act 1931

Attachment Under Separate Cover - The Salvation Army Australia Annual Report 2025

Attachment 1 - Rate Rebate Application Form - 30 Missen Avenue

Rate Rebate Application Form

Please complete this form in **BLOCK LETTERS** and return by:

- **Post:** PO Box 11, Victor Harbor SA 5211
- **Email:** localgov@victor.sa.gov.au
- **In person:** 1 Bay Road, Victor Harbor

Applicant Details

Name: Alison Archer

Company: The Salvation Army (SA) Property Trust

Address: [redacted]
Sydney South NSW 1235

Email: [redacted] Phone [redacted]

Property Details

Property ID: 11601 Valuation Number: 4506357523

Address: 30 Missen Avenue HAYBOROUGH

Owner: The Salvation Army (SA) Property Trust

Note: If the application for a rate rebate is for multiple properties, each assessment must be separately identified (a separate listing can be attached if necessary)

Categories of rebate

Please tick the category of rebate under which you are seeking a rebate (section numbers quoted refer to the Local Government Act 1999

Mandatory 100% rebate

- ☐ **Health Service (Section 160) –** land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976
- ☐ **Religious Purposes (Section 162)** - land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes
- ☐ **Public Cemeteries (Section 163)** - land being used for the purposes of a public cemetery
- ☐ **Royal Zoological Society of SA (Section 164)** - land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated

PO Box 11
1 Bay Road
Victor Harbor SA 5211

www.victor.sa.gov.au

P 08 8551 0500
F 08 8551 0501
E localgov@victor.sa.gov.au

Mandatory 75%

- ☐ **Educational Purposes (section 165) –** land that is
  - ☐ Occupied by a Government school under lease or licence and being used for educational purposes, or
  - ☐ Occupied by a Non-government school registered under the Educational and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes, or
  - ☐ Used by a university or university college to provide accommodation and other forms of support to students on a not-for-profit basis
- ☐ **Community Services (Section 161)** - land being predominantly used for service delivery and/or administration by a community services organisation

  To qualify as a Community Service Organisation you must meet the following criteria;
  (a) Is incorporated on a not for profit basis for the benefit of the public, **AND**
  (b) Provides community services without charge or for a charge that is below the cost to the body of providing the services, **AND**
  (c) does not restrict its services to persons who are members of the body

  Which of the following services does your organisation provide from the property?
  - ☐ Emergency accommodation
  - ☐ Food or clothing for disadvantaged persons
  - ☐ Supported accommodation (select at least one of the following)
    - ☐ Residential care facility that is approved for Commonwealth funding under the Aged Care Act 1997(Cwlth)
    - ☐ Accommodation for persons with mental health difficulties, intellectual or physical difficulties or other difficulties who require support in order to live an independent life
    - ☐ Accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public
  - ☐ Essential services or employment support for persons with mental health difficulties or with intellectual or physical disabilities
  - ☐ Legal services for disadvantaged persons
  - ☐ Drug or alcohol rehabilitation services
  - ☐ Research into or community education about disease or illness, or palliative care to persons who suffer from disease or illness

  Note: Disadvantaged persons are disadvantaged by reasons of poverty, illness, frailty or mental, intellectual or physical disability.

Are you seeking an increase to the Mandatory 75% rebate? **Yes** **No**

If you have answered yes, please indicate the amount of rebate you are applying for and the reasons to justify your request; _____%

_____

_____

_____

_____

_____

_____

Discretionary Rebate (Section 166)
Council may grant a rebate of rates at it's discretion in any of the following cases. Please indicate which of the following cases is applicable to your application;

- ☐ (a) the rebate is desirable for the purpose of securing the proper development of the area (or a part of the area)
- ☐ (b) the rebate is desirable for the purpose of assisting or supporting a business in its area
- ☐ (c) the rebate will be conducive to the preservation of buildings or places of historic significance
- ☐ (d) the land is being used for educational purposes
- ☐ (e) the land is being used for agricultural, horticultural or floricultural exhibitions
- ☐ (f) the land is being used for a hospital or health centre
- ☐ (g) the land is being used to provide facilities or services for children or young persons
- ■ (h) the land is being used to provide accommodation for the aged or disabled
- ☐ (i) the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre
- ☐ (j) the land is being used by an organisation which provides a benefit or service to the local community
- ☐ (k) the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment
- ☐ (l) the rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:
  - ☐ a redistribution of the rates burden within the community arising from a change to the basis or structure of the council's rates, or
  - ☐ a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations
- ☐ (m) where the rebate is appropriate to provide relief in order to avoid what would otherwise constitute:
  - ☐ a liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the council in its annual business plan, or
  - ☐ a liability that is unfair or unreasonable
- ☐ (n) where the rebate is to give effect to a review of a decision of the council under chapter 13 part 2 of the Act (Internal Review of Council actions)
- ☐ (o) where the rebate is contemplated under another provision of this Act

Please specify the amount of discretionary rebate you are applying for 100 %

Please specify why you believe the Council should grant a rebate of rates for the applicant property.
The Salvation Army is a religious & charitable organisation caring for people, meeting welfare needs & building healthy communities. This property is used to accommodate retired & aged persons & is provided on a non commercial basis & forms part of The Salvation Army's pastoral and welfare support for elderly former officers (ministers).
The Salvation Army meets community needs by providing practical support services such as homelessness assistance, emergency relief, family & DV support, financial counseling, community programs & also spiritual well being through Chaplaincy, Pastoral care, worship services and faith based community. All savings directly benefit our ability to provide this much needed community support.

Supporting Documentation
The Council requires you to attach the following information to this application:

- Evidence that the land is being predominately used for the purpose for which the rebate is being sought

Community Services Rebate

- Evidence that the land is being used for service delivery and/or administration
- A copy of the organisation's Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis
- A copy of the organisation's latest Annual Report
- Evidence that the service is provided free of charge or below cost
- Evidence that the service is provided to persons other then members
- Evidence (if any) of receipt of State or Commonwealth Government funding

Discretionary Rebates

- The nature and extent of council services provided to the land in comparison to similar services provided elsewhere in the council area
- The community need (if any) that is being met by the activities carried out on the land
- The extent (if any) to which the activities carried out on the land provides assistance or relief to disadvantaged persons
- The extent of financial assistance (if any) being provided by Commonwealth or State Government, or other community grants (including from the City of Victor Harbor)

Please note: Additional information may be requested after receipt of your application. It is the responsibility of the applicant to establish their claim for entitlement to a rebate and supply all the information required to substantiate this claim. Where insufficient information or evidence is supplied, applications may be denied.

Important Information and Declaration
It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act.
The maximum penalty for this offence is $5,000.00 (Section 159 (2) of the Local Government Act 1999).

The Council may grant a rebate of rates or charges on such conditions as the Council thinks fit.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases.
If a person or body fails to notify the Council that person or body is guilty of an offence and liable to a maximum penalty of $5,000.00 (Section 159 (7) and (8) of the Local Government Act 1999).

The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

I declare that the information I have provided on and attached to this application form is true and correct.

Print Full Name Alison Archer Date 31/7/2026

Signature Alison Archer

Attachment 2 - Rate Rebate Application Form - 46 Sutherland Avenue

city of Victor Harbor

Rate Rebate Application Form

Please complete this form in **BLOCK LETTERS** and return by:

- **Post:** PO Box 11, Victor Harbor SA 5211
- **Email:** localgov@victor.sa.gov.au
- **In person:** 1 Bay Road, Victor Harbor

Applicant Details

Name: Alison Archer

Company:

Address: [redacted]

Email: [redacted] Phone: [redacted]

Property Details

Property ID: 4656 Valuation Number: 450617900

Address: 46 Sutherland Avenue HAYBOROUGH

Owner: The Salvation Army (SA) Property Trust

Note: If the application for a rate rebate is for multiple properties, each assessment must be separately identified (a separate listing can be attached if necessary)

Categories of rebate

Please tick the category of rebate under which you are seeking a rebate (section numbers quoted refer to the Local Government Act 1999

Mandatory 100% rebate

- ☐ **Health Service (Section 160) –** land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976
- ☐ **Religious Purposes (Section 162)** - land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes
- ☐ **Public Cemeteries (Section 163)** - land being used for the purposes of a public cemetery
- ☐ **Royal Zoological Society of SA (Section 164)** - land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated

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www.victor.sa.gov.au

P 08 8551 0500
F 08 8551 0501
E localgov@victor.sa.gov.au

Mandatory 75%

- ☐ **Educational Purposes (section 165) –** land that is
  - ☐ Occupied by a Government school under lease or licence and being used for educational purposes, or
  - ☐ Occupied by a Non-government school registered under the Educational and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes, or
  - ☐ Used by a university or university college to provide accommodation and other forms of support to students on a not-for-profit basis
- ☐ **Community Services (Section 161)** - land being predominantly used for service delivery and/or administration by a community services organisation

  To qualify as a Community Service Organisation you must meet the following criteria;
  (a) Is incorporated on a not for profit basis for the benefit of the public, **AND**
  (b) Provides community services without charge or for a charge that is below the cost to the body of providing the services, **AND**
  (c) does not restrict its services to persons who are members of the body

  Which of the following services does your organisation provide from the property?
  - ☐ Emergency accommodation
  - ☐ Food or clothing for disadvantaged persons
  - ☐ Supported accommodation (select at least one of the following)
    - ☐ Residential care facility that is approved for Commonwealth funding under the Aged Care Act 1997(Cwlth)
    - ☐ Accommodation for persons with mental health difficulties, intellectual or physical difficulties or other difficulties who require support in order to live an independent life
    - ☐ Accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public
  - ☐ Essential services or employment support for persons with mental health difficulties or with intellectual or physical disabilities
  - ☐ Legal services for disadvantaged persons
  - ☐ Drug or alcohol rehabilitation services
  - ☐ Research into or community education about disease or illness, or palliative care to persons who suffer from disease or illness

  Note: Disadvantaged persons are disadvantaged by reasons of poverty, illness, frailty or mental, intellectual or physical disability.

Are you seeking an increase to the Mandatory 75% rebate? **Yes** **No**

If you have answered yes, please indicate the amount of rebate you are applying for and the reasons to justify your request; _____%

_____

_____

_____

_____

_____

_____

Discretionary Rebate (Section 166)
Council may grant a rebate of rates at it's discretion in any of the following cases. Please indicate which of the following cases is applicable to your application;

- ☐ (a) the rebate is desirable for the purpose of securing the proper development of the area (or a part of the area)
- ☐ (b) the rebate is desirable for the purpose of assisting or supporting a business in its area
- ☐ (c) the rebate will be conducive to the preservation of buildings or places of historic significance
- ☐ (d) the land is being used for educational purposes
- ☐ (e) the land is being used for agricultural, horticultural or floricultural exhibitions
- ☐ (f) the land is being used for a hospital or health centre
- ☐ (g) the land is being used to provide facilities or services for children or young persons
- ■ (h) the land is being used to provide accommodation for the aged or disabled
- ☐ (i) the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre
- ☐ (j) the land is being used by an organisation which provides a benefit or service to the local community
- ☐ (k) the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment
- ☐ (l) the rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:
  - ☐ a redistribution of the rates burden within the community arising from a change to the basis or structure of the council's rates, or
  - ☐ a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations
- ☐ (m) where the rebate is appropriate to provide relief in order to avoid what would otherwise constitute:
  - ☐ a liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the council in its annual business plan, or
  - ☐ a liability that is unfair or unreasonable
- ☐ (n) where the rebate is to give effect to a review of a decision of the council under chapter 13 part 2 of the Act (Internal Review of Council actions)
- ☐ (o) where the rebate is contemplated under another provision of this Act

Please specify the amount of discretionary rebate you are applying for 100 %

Please specify why you believe the Council should grant a rebate of rates for the applicant property.
The Salvation Army is a religious & charitable organisation caring for people, meeting welfare needs & building healthy communities. This property is used to accommodate retired & aged persons & is provided on a non commercial basis & forms part of The Salvation Army's pastoral and welfare support for elderly former officers (ministers).
The Salvation Army meets community needs by providing practical support services such as homelessness assistance, emergency relief, family & DV support, financial counseling, community programs & also spiritual well being through Chaplaincy, Pastoral care, worship services and faith based community. All savings directly benefit our ability to provide this much needed community support.

Supporting Documentation
The Council requires you to attach the following information to this application:

- Evidence that the land is being predominately used for the purpose for which the rebate is being sought

Community Services Rebate

- Evidence that the land is being used for service delivery and/or administration
- A copy of the organisation's Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis
- A copy of the organisation's latest Annual Report
- Evidence that the service is provided free of charge or below cost
- Evidence that the service is provided to persons other then members
- Evidence (if any) of receipt of State or Commonwealth Government funding

Discretionary Rebates

- The nature and extent of council services provided to the land in comparison to similar services provided elsewhere in the council area
- The community need (if any) that is being met by the activities carried out on the land
- The extent (if any) to which the activities carried out on the land provides assistance or relief to disadvantaged persons
- The extent of financial assistance (if any) being provided by Commonwealth or State Government, or other community grants (including from the City of Victor Harbor)

Please note: Additional information may be requested after receipt of your application. It is the responsibility of the applicant to establish their claim for entitlement to a rebate and supply all the information required to substantiate this claim. Where insufficient information or evidence is supplied, applications may be denied.

Important Information and Declaration
It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act.
The maximum penalty for this offence is $5,000.00 (Section 159 (2) of the Local Government Act 1999).

The Council may grant a rebate of rates or charges on such conditions as the Council thinks fit.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases.
If a person or body fails to notify the Council that person or body is guilty of an offence and liable to a maximum penalty of $5,000.00 (Section 159 (7) and (8) of the Local Government Act 1999).

The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

I declare that the information I have provided on and attached to this application form is true and correct.

Print Full Name Alison Archer Date 31/7/2026

Signature Alison Archer

Attachment 3 - Rate Rebate Application Form - 52 Prime Boulevard

city of Victor Harbor

Rate Rebate Application Form

Please complete this form in **BLOCK LETTERS** and return by:

- **Post:** PO Box 11, Victor Harbor SA 5211
- **Email:** localgov@victor.sa.gov.au
- **In person:** 1 Bay Road, Victor Harbor

Applicant Details

Name: Alison Archer

Company: The Salvation Army (SA) Property Trust

Address: [redacted]

Sydney South NSW 1235

Email: [redacted] Phone: [redacted]

Property Details

Property ID: 47 Valuation Number: 4508854590

Address: 52 Prime Boulevard ENCOUNTER BAY

Owner: The Salvation Army (SA) Property Trust

Note: If the application for a rate rebate is for multiple properties, each assessment must be separately identified (a separate listing can be attached if necessary)

Categories of rebate

Please tick the category of rebate under which you are seeking a rebate (section numbers quoted refer to the Local Government Act 1999

Mandatory 100% rebate

- ☐ **Health Service (Section 160) –** land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976
- ☐ **Religious Purposes (Section 162)** - land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes
- ☐ **Public Cemeteries (Section 163)** - land being used for the purposes of a public cemetery
- ☐ **Royal Zoological Society of SA (Section 164)** - land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated

PO Box 11
1 Bay Road
Victor Harbor SA 5211

www.victor.sa.gov.au

P 08 8551 0500
F 08 8551 0501
E localgov@victor.sa.gov.au

Mandatory 75%

- ☐ **Educational Purposes (section 165) –** land that is
  - ☐ Occupied by a Government school under lease or licence and being used for educational purposes, or
  - ☐ Occupied by a Non-government school registered under the Educational and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes, or
  - ☐ Used by a university or university college to provide accommodation and other forms of support to students on a not-for-profit basis
- ☐ **Community Services (Section 161)** - land being predominantly used for service delivery and/or administration by a community services organisation

  To qualify as a Community Service Organisation you must meet the following criteria;
  (a) Is incorporated on a not for profit basis for the benefit of the public, **AND**
  (b) Provides community services without charge or for a charge that is below the cost to the body of providing the services, **AND**
  (c) does not restrict its services to persons who are members of the body

  Which of the following services does your organisation provide from the property?
  - ☐ Emergency accommodation
  - ☐ Food or clothing for disadvantaged persons
  - ☐ Supported accommodation (select at least one of the following)
    - ☐ Residential care facility that is approved for Commonwealth funding under the Aged Care Act 1997(Cwlth)
    - ☐ Accommodation for persons with mental health difficulties, intellectual or physical difficulties or other difficulties who require support in order to live an independent life
    - ☐ Accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public
  - ☐ Essential services or employment support for persons with mental health difficulties or with intellectual or physical disabilities
  - ☐ Legal services for disadvantaged persons
  - ☐ Drug or alcohol rehabilitation services
  - ☐ Research into or community education about disease or illness, or palliative care to persons who suffer from disease or illness

  Note: Disadvantaged persons are disadvantaged by reasons of poverty, illness, frailty or mental, intellectual or physical disability.

Are you seeking an increase to the Mandatory 75% rebate? **Yes** **No**

If you have answered yes, please indicate the amount of rebate you are applying for and the reasons to justify your request; _____%

_____

_____

_____

_____

_____

_____

Discretionary Rebate (Section 166)
Council may grant a rebate of rates at it's discretion in any of the following cases. Please indicate which of the following cases is applicable to your application;

- ☐ (a) the rebate is desirable for the purpose of securing the proper development of the area (or a part of the area)
- ☐ (b) the rebate is desirable for the purpose of assisting or supporting a business in its area
- ☐ (c) the rebate will be conducive to the preservation of buildings or places of historic significance
- ☐ (d) the land is being used for educational purposes
- ☐ (e) the land is being used for agricultural, horticultural or floricultural exhibitions
- ☐ (f) the land is being used for a hospital or health centre
- ☐ (g) the land is being used to provide facilities or services for children or young persons
- ■ (h) the land is being used to provide accommodation for the aged or disabled
- ☐ (i) the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre
- ☐ (j) the land is being used by an organisation which provides a benefit or service to the local community
- ☐ (k) the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment
- ☐ (l) the rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:
  - ☐ a redistribution of the rates burden within the community arising from a change to the basis or structure of the council's rates, or
  - ☐ a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations
- ☐ (m) where the rebate is appropriate to provide relief in order to avoid what would otherwise constitute:
  - ☐ a liability to pay a rate or charge that is inconsistent with the liabilities that were anticipated by the council in its annual business plan, or
  - ☐ a liability that is unfair or unreasonable
- ☐ (n) where the rebate is to give effect to a review of a decision of the council under chapter 13 part 2 of the Act (Internal Review of Council actions)
- ☐ (o) where the rebate is contemplated under another provision of this Act

Please specify the amount of discretionary rebate you are applying for 100 %

Please specify why you believe the Council should grant a rebate of rates for the applicant property.
The Salvation Army is a religious & charitable organisation caring for people, meeting welfare needs & building healthy communities. This property is used to accommodate retired & aged persons & is provided on a non commercial basis & forms part of The Salvation Army's pastoral and welfare support for elderly former officers (ministers).
The Salvation Army meets community needs by providing practical support services such as homelessness assistance, emergency relief, family & DV support, financial counseling, community programs & also spiritual well being through Chaplaincy, Pastoral care, worship services and faith based community. All savings directly benefit our ability to provide this much needed community support.

Supporting Documentation
The Council requires you to attach the following information to this application:

- Evidence that the land is being predominately used for the purpose for which the rebate is being sought

Community Services Rebate

- Evidence that the land is being used for service delivery and/or administration
- A copy of the organisation's Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis
- A copy of the organisation's latest Annual Report
- Evidence that the service is provided free of charge or below cost
- Evidence that the service is provided to persons other then members
- Evidence (if any) of receipt of State or Commonwealth Government funding

Discretionary Rebates

- The nature and extent of council services provided to the land in comparison to similar services provided elsewhere in the council area
- The community need (if any) that is being met by the activities carried out on the land
- The extent (if any) to which the activities carried out on the land provides assistance or relief to disadvantaged persons
- The extent of financial assistance (if any) being provided by Commonwealth or State Government, or other community grants (including from the City of Victor Harbor)

Please note: Additional information may be requested after receipt of your application. It is the responsibility of the applicant to establish their claim for entitlement to a rebate and supply all the information required to substantiate this claim. Where insufficient information or evidence is supplied, applications may be denied.

Important Information and Declaration
It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act.
The maximum penalty for this offence is $5,000.00 (Section 159 (2) of the Local Government Act 1999).

The Council may grant a rebate of rates or charges on such conditions as the Council thinks fit.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases.
If a person or body fails to notify the Council that person or body is guilty of an offence and liable to a maximum penalty of $5,000.00 (Section 159 (7) and (8) of the Local Government Act 1999).

The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

I declare that the information I have provided on and attached to this application form is true and correct.

Print Full Name Alison Archer Date 31/7/2026

Signature Alison Archer

Attachment 4 - The Salvation Army SA Property Trust Certificate



Australian Government

Australian Charities and Not-for-profits Commission

THIS CERTIFIES THAT

The Trustee For The Salvation Army (Sa) Property Trust

ABN: 13320346330

IS A REGISTERED CHARITY
AND HAS BEEN TRANSFERRED FROM THE

Australian Taxation Office

TO THE

Australian Charities and Not-for-profits Commission

ON THE DATE OF

03/12/2012

CERTIFIED BY

Hon. Dr Gary Johns
Commissioner
Australian Charities and Not-for-profits Commission

Copy only. Original available on request

Attachment 5 - The Salvation Army (South Australia) Property Trust Act 1931

ANNO VICESIMO SECUNDO

GEORGII V REGIS.

A.D. 1931.

****

Private Act.

An Act to provide for the temporal affairs of The Salvation Army in the State of South Australia.

[*Assented to, December 2nd, 1931.*]

WHEREAS by a Deed Poll (hereinafter called the "Deed of Constitution") dated the seventh day of August One thousand eight hundred and seventy-eight and under the hand and seal of William Booth and afterwards enrolled in the Chancery Division of the High Court of Justice England on the thirteenth day of August one thousand eight hundred and seventy-eight the origin and doctrines of the religious society or organisation therein referred to then known as the Christian Mission were recited and stated and it was by the said Deed of Constitution amongst other things provided that the said Christian Mission was and should be always thereafter under the oversight direction and control of some one person who should be the General Superintendent thereof whose duty it should be to determine and enforce the discipline and laws and superintend the operations of the said Christian Mission and to conserve the same to and for the objects and purposes for which it was first originated and that the General Superintendent should have the powers therein mentioned that the said William Booth should continue to be for the term of his natural life the General Superintendent of the said Christian Mission unless he should resign such office that the said William Booth and every General Superintendent who should succeed him should have power to appoint his successor to the office of General Superintendent and all the rights powers and authorities of the office should vest in the person so appointed upon the decease of the said William Booth or other General Superintendent appointing him or at such

A other

other period as might be named in the document appointing him and that it should be the duty of every General Superintendent to make in writing as soon as conveniently might be after his appointment a statement as to his successor or as to the means which were to be taken for the appointment of a successor at the decease of the General Superintendent or upon his ceasing to perform the duties of the office such statement to be signed by the General Superintendent and delivered in a sealed envelope to the Solicitor for the time being of the said Christian Mission but such statement might be altered at will by the General Superintendent at any time during his continuance in office upon a new statement being signed by him and delivered as before mentioned to such Solicitor as aforesaid: AND WHEREAS by the said Deed of Constitution it was provided that the General Superintendent should have power to expend on behalf of the Christian Mission all moneys contributed for the general purposes of the said Christian Mission or for any of the special objects or operations thereof but he should annually publish a balance-sheet (duly audited) of all such receipts and expenditure and that the General Superintendent should have power to acquire by gift purchase or otherwise any hall or meeting-house schoolroom vestry land building and appurtenances and any seats fittings furniture or other property whatsoever which might in his judgment be required for the purposes of the said Christian Mission and to build upon such land or alter or pull down any such buildings and to hire on lease or otherwise any land or buildings and to lend give away let sell or otherwise dispose of any such property land or buildings as he might deem necessary in the interests of the said Christian Mission wherein all trustees should render him every assistance and that he might in all such cases as he should deem it expedient so to do nominate and appoint trustees or a trustee of any part or parts respectively of such property and direct the conveyance or transfer thereof to such trustees or trustee with power for the General Superintendent to declare the trusts thereof and from time to time if it should seem expedient to him so to do to revoke any such trusts or the appointment of such trustees or trustee and upon such revocation the same property should be conveyed or transferred to such persons or person and upon such trusts as he might direct but only for the benefit of the said Christian Mission: AND WHEREAS on or about the first day of January One thousand eight hundred and seventy-nine the name of the said religious society or organization was changed from "The Christian Mission" to "The Salvation Army" as appears by a Memorandum under the hand of the said William Booth dated the twenty-fourth day of June One thousand eight hundred and eighty and enrolled in the Supreme Court of Judicature England on the twentieth day of April One thousand nine hundred and six: AND WHEREAS by a further Deed Poll under the hand and seal of the said William Booth bearing date the twenty-sixth day of July One thousand nine hundred and four and enrolled in the Supreme Court of Judicature England on the twenty-seventh day of

of July One thousand nine hundred and four after reciting the change of name as aforesaid and that the said Society or organisation had since been and was then known and designated as The Salvation Army and that the title of the " General Superintendent " thereof had been altered to that of " General " and that the said William Booth was then known and designated and it was expected that every successor of his should thereafter be known and designated as the " General " of The Salvation Army it was also recited that in order to minimize the possibility of doubt dispute or litigation it was considered desirable to provide more fully and specifically than was done by the Deed of Constitution for the events in which the General for the time being should cease to perform the duties of his office and also for the nomination and appointment of a successor to the General for the time being on his dying or ceasing to perform the duties of the office and that the said William Booth had accordingly determined to execute the said Deed Poll: AND WHEREAS by the last mentioned Deed Poll after setting forth more fully such events it was declared (*inter alia*) that every General for the time being of The Salvation Army should be deemed to cease to perform the duties of his office within the meaning of clause six of the Deed of Constitution and to vacate such office upon the happening of any of the events therein referred to that is to say (*inter alia*) if the Commissioners of The Salvation Army or a majority of such Commissioners amounting to at least four in five should declare by writing under their hands that they are satisfied that the General is (*inter alia*) permanently incapacitated by mental or physical infirmity from the adequate performance of the duties of his office or if a resolution adjudicating the General unfit for office and removing him therefrom should be passed by a majority of not less than three-fourths of the members present and voting at a meeting of the High Council of The Salvation Army thereinafter referred to: AND WHEREAS the said William Booth died on the twentieth day of August One thousand nine hundred and twelve having by Deed Poll under his hand and seal dated the twenty-first day of August One thousand eight hundred and ninety in exercise of the power in that behalf vested in him by the Deed of Constitution as aforesaid appointed William Bramwell Booth to be his successor and to succeed him as from the time of his decease in the office of General Superintendent and Commanding Officer of The Salvation Army: AND WHEREAS the said William Bramwell Booth by Deed Poll under his hand and seal dated the twenty-third day of August One thousand nine hundred and twelve duly accepted the said Office: AND WHEREAS by Deed Poll under the hand and seal of the said William Bramwell Booth bearing date the first day of June One thousand nine hundred and twenty it was (*inter alia*) recited that in connection with and as the outcome of the work teaching and experience of The Salvation Army in the United Kingdom and in Australia and in other countries of the world the said William Booth and the said William Bramwell Booth had evolved and promulgated various operations for the social moral and temporal welfare and improvement of the poorer and more needy classes

classes of society and of persons who were destitute vicious or feeble-minded or suffering from injury or sickness or ill-health or orphans or other children needing care in orphanages or reformatories and for other charitable purposes which operations were then and are now generally known and described as the Social Work of The Salvation Army and which in relation to the Commonwealth of Australia (thereinafter called "the said Commonwealth") were thereinafter sometimes referred to as the Social Work and that in connection with the carrying on of the Social Work in the said Commonwealth the said William Booth and the said William Bramwell Booth as his successor in office had acquired certain real and personal property particularized in the schedule thereto and other real and personal property would thereafter be acquired for the purposes of the Social Work and that it was right and desirable that the same respectively should be kept distinct from the other or proper real and personal property of The Salvation Army and be used and devoted exclusively in and to the Social Work in or connected with the said Commonwealth and that the Social Work should be defined and regulated and the trusts of the said real and personal property already acquired and thereafter to be acquired for or in connection therewith declared as thereinafter appearing: AND it was thereby witnessed that the said William Bramwell Booth declared that the real and personal property particularized in the said schedule and all property real and personal which might thereafter be acquired by gift grant purchase or in any manner whatsoever for the purposes of the Social Work in or in connection with the said Commonwealth and all real and personal property for the time being representing the same or any part thereof respectively and all which were sometimes thereinafter collectively referred to as "the trust property" should at all times thereafter be held upon trust to use and apply the same and the income thereof for the social moral and temporal welfare and improvement of the poorer and more needy classes of society and of persons who are destitute or vicious or feeble-minded or suffering from injury or sickness or ill-health or orphans or other children needing care in orphanages or reformatories in the said Commonwealth and for other charitable purposes in or in connection with the said Commonwealth in such ways and by such means as the said William Bramwell Booth or other the Director (as thereinafter defined) for the time being of the Social Work should at any time or from time to time think fit subject nevertheless to the provisos therein contained: AND that the Social Work should at all times thereafter be under the oversight direction and control of the person who should be for the time being General of The Salvation Army and he should be called in relation to the Social Work the Director of the Social Work (thereinafter referred to as "the Director") and that it should be his duty to determine and enforce the laws and to superintend the operations of the Social Work and to conserve the same and the trust property for the purposes of the trusts thereby declared: AND it was provided that for the purpose of identifying and earmarking the trust property and

and the income thereof and keeping the same distinct from all property of The Salvation Army full accounts of all moneys contributed collected or received for the Social Work and of the application thereof should be kept in such manner as to keep the same always distinct and separate from the property of The Salvation Army and that all conveyances leases transfers assignments and assurances made to the Director for the time being for the purposes of the Social Work should be expressed to be made to him as such Director and should thereupon become subject to the trusts of the Deed Poll now in recital and that whenever any property real or personal acquired for the purposes of the Social Work should be conveyed leased transferred assigned or assured to any trustees or trustee other than the Director for the time being such trustees or trustee should in each case execute a sufficient declaration of trust so as in every case to enable the property conveyed leased transferred assigned or assured to be sufficiently identified or earmarked as being property devoted to the purposes of the Social Work: AND WHEREAS the said recited Deed Poll of the first day of June One thousand nine hundred and twenty set forth the powers which the Director should have over and on and concerning the said trust property: AND WHEREAS at a duly convened meeting of the High Council of The Salvation Army held at Sunbury in England on the eighth day of January and on the thirteenth day of February One thousand nine hundred and twenty-nine the High Council of The Salvation Army referred to in the said recited Deed Poll of the twenty-sixth day of July One thousand nine hundred and four duly and in accordance with such Deed Poll by resolution a copy of which (*inter alia*) was enrolled in the Supreme Court of Judicature England on the twentieth day of February One thousand nine hundred and twenty-nine adjudicated the said William Bramwell Booth unfit for office as General of The Salvation Army and removed him therefrom and by way of record declared that the said adjudication was based upon the state of health of the said William Bramwell Booth and the said High Council in pursuance of the power vested in it by the said Deed Poll of the twenty-sixth day of July One thousand nine hundred and four elected and appointed Edward John Higgins of 101 Queen Victoria Street London England to be the General of The Salvation Army: AND WHEREAS by Deed Poll under his hand and seal dated the thirteenth day of February One thousand nine hundred and twenty-nine and enrolled in the Supreme Court of Judicature England on the twentieth day of February One thousand nine hundred and twenty-nine the said Edward John Higgins duly accepted the said office upon and subject to the terms not only of the said recited Deed Poll of the seventh day of August One thousand eight hundred and seventy eight but also of the said recited Deed Poll of the twenty-sixth day of July One thousand nine hundred and four: AND WHEREAS the said William Bramwell Booth died on the sixteenth day of June One thousand nine hundred and twenty-nine: AND WHEREAS it is expedient to provide that the whole of the property real and personal of The Salvation Army in South Australia which was

was at the time of his death held by and now stands in the name of the said William Bramwell Booth upon the trusts of the hereinbefore recited Deeds Poll of the seventh day of August One thousand eight hundred and seventy-eight and the twenty-sixth day of July One thousand nine hundred and four and the first day of June One thousand nine hundred and twenty respectively and of or to which The Salvation Army in South Australia is otherwise entitled whether held by and standing in the name of the said William Bramwell Booth at the time of his death or now standing in the name or names of any other person or persons and which the General for the time being of The Salvation Army as such General and as Director of the said Social Work of The Salvation Army respectively is entitled to have vested in him upon the trusts of the said recited Deeds Poll according to the nature of the same and all choses in action and other property subject to the hereinbefore recited trusts or any of them or any interest in respect thereof except property held by and shares in the Salvation Army Auxiliary Company of Australia Proprietary Limited shall vest in a body of Trustees and the said body of trustees shall be a body corporate with the powers and authorities hereinafter set forth: BE IT THEREFORE enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the House of Assembly of South Australia in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title and commencement.

1. This Act may be cited as "The Salvation Army (South Australia) Property Trust Act, 1931" and shall come into force on the publication in the *Government Gazette* of the names of the first trustees.

Interpretation.

2. In this Act unless inconsistent with the context or subject matter—

"Body corporate."

"Body corporate" means "The Salvation Army (South Australia) Property Trust" as incorporated by this Act.

"Deed of Constitution."

"Deed of Constitution" means the hereinbefore recited deed poll of the seventh day of August One thousand eight hundred and seventy-eight.

"General."

"General" means the General (formerly called General Superintendent) for the time being of The Salvation Army under its Constitution.

"The Salvation Army."

"The Salvation Army" means the religious society or organization referred to in the hereinbefore recited deeds poll of the seventh day of August One thousand eight hundred and seventy-eight, the twenty-sixth day of July One thousand nine hundred and four, and the first day of June One thousand nine hundred and twenty.

"Said recited deeds poll."

"Said recited deeds poll" means the Deed of Constitution and the hereinbefore recited deeds poll of the twenty-sixth

sixth day of July One thousand nine hundred and four and the first day of June One thousand nine hundred and twenty.

"Trustees" means the persons for the time being constituting the body corporate. "Trustees."

"Will" includes codicil and every other testamentary disposition. "Will."

Incorporation of Trustees: Power to hold real and personal property, etc.

3. The trustees for the time being shall be a body corporate by the name of "The Salvation Army (South Australia) Property Trust" and shall have perpetual succession and a common seal and shall be capable of purchasing or otherwise acquiring, holding, managing, controlling, and subject to this Act, granting, transferring, mortgaging, demising, selling, disposing of, creating or reserving easements over or otherwise dealing with any property real or personal and of suing and being sued by and in the aforesaid name and doing and suffering all such other acts and things as bodies corporate may by law do or suffer.

Number and appointment of trustees.

4. (1) The number of the trustees shall be not less than five and not more than seven, and shall consist of persons appointed by the General in writing from time to time whether before or after the passing of this Act.

(2) The names of the first trustees shall be published in the *Government Gazette* as soon as may be after the passing of this Act.

Custody of common seal and quorum of trustees.

5. (1) The trustees for the time being shall have the custody of the common seal of the body corporate and the form of such seal and all other matters relating thereto shall from time to time be determined at a meeting of the trustees.

(2) The trustees or any three of them acting in pursuance of a resolution of the trustees may exercise any power conferred by this Act on the trustees or the body corporate.

(3) At a meeting of the trustees three shall form a quorum.

Execution of deeds.

6. (1) The common seal of the body corporate shall not be affixed to any document except by the authority of a resolution of the trustees and the affixing of the seal shall be attested by at least two trustees or in such other way as the trustees may from time to time appoint and such attestation shall be sufficient evidence of the authority to affix the seal.

Contracts.

(2) Contracts on behalf of the body corporate may be made as follows:—

(*a*) Any contract which if made between private persons would be by law required to be in writing under seal may be made on behalf of the body corporate in writing under

under its common seal affixed as provided in subsection (1) of this section and may in the same manner be varied or discharged.

(*b*) Any contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith may be made on behalf of the body corporate in writing signed by any person acting under the authority of the trustees and may in the same manner be varied or discharged.

(*c*) Any contract which if made between private persons would by law be valid although made by parol only and not reduced to writing may be made by parol on behalf of the body corporate by any person acting under the authority of the trustees and may in the same manner be varied or discharged.

(3) All contracts made according to subsection (2) of this section shall be effectual in law and shall bind the body corporate and its successors and all other parties thereto their heirs executors or administrators (as the case may be).

(4) The production of a document which purports to be executed in accordance with the requirements of subsection (1) of this section shall be *prima facie* evidence and in favour of the Crown, the Registrar-General, and every person who deals for value with the trustees be conclusive evidence that such document was executed in accordance with the requirements of the said subsection (1).

Vesting of property in trustees.

7. All lands, tenements, and hereditaments (including chattels real) situate in the State of South Australia together with all rights, easements, and appurtenances relating thereto and all personal property situate as aforesaid which were at the time of his death held by and immediately before the commencement of this Act stood in the name of the said William Bramwell Booth, as General of The Salvation Army or Director of the Social Work of The Salvation Army respectively, upon the trusts of the said recited deeds poll or any of them or which were at the time of his death held by and immediately before the commencement of this Act stood in the name of the said William Bramwell Booth or are held by and stand in the name or names of any other person or persons in trust for The Salvation Army or for any of its funds or any department of its work or any branch corps auxiliary or institution of The Salvation Army or to which The Salvation Army is otherwise entitled and all choses in action and other property in South Australia subject to the hereinbefore recited trusts or any trusts declared pursuant to the said recited deeds poll or any of them and all other property real and personal which immediately before the commencement of this Act was held in trust for The Salvation Army in South Australia or for any of its funds or any department of its work or any branch corps auxiliary or institution thereof or to which immediately before the commencement of this Act The Salvation Army in South Australia

Australia was entitled (save and except any property held by and any shares in the Salvation Army Auxiliary Company of Australia Proprietary Limited) shall (subject to the provisions of sections nineteen and twenty-two of this Act) vest in the body corporate upon the trusts and with the powers, authorities, and discretions and subject to the terms, provisions, and conditions of this Act and of the Deed of Constitution, and the said deed poll of William Booth bearing date the twenty-sixth day of July one thousand nine hundred and four, or of the said deed poll of William Bramwell Booth bearing date the first day of June one thousand nine hundred and twenty, according to the particular trusts in each case upon which the same were held immediately before the commencement of this Act but subject and without prejudice to the special trusts if any upon which the same were so held and subject also to any reservation, mortgage, charge, encumbrance, lien, or lease affecting the same respectively and subject and without prejudice to any resulting trust or any trust of any such lands, tenements, or hereditaments in favour of the donor or any person or corporation other than The Salvation Army and upon and subject to no other trusts or provisions whatsoever.

Powers of trustees.

8. The trustees shall be entitled at all time after the commencement of this Act to exercise all the powers relating to the lands, tenements, and hereditaments (including chattels real) rights easements and appurtenances and personal property and choses in action hereby vested in the body corporate or which may hereafter be acquired by the body corporate or which may become vested in the body corporate under this Act or otherwise which were immediately before the commencement of this Act exercisable by the General of The Salvation Army and the Director of the Social Work of The Salvation Army for the time being respectively under the said recited Deed of Constitution and deed poll of the twenty-sixth day of July one thousand nine hundred and four and under the said recited deed poll of the first day of June one thousand nine hundred and twenty according as the trustees hold the same upon the trusts of such Deed of Constitution and first-mentioned deed poll or of such second-mentioned deed poll (as the case may be) and may exercise all or any of such powers and of the powers by this Act conferred upon them, notwithstanding there is for the time being any vacancy in the office of General of The Salvation Army or the office of Director of the Social Work of The Salvation Army provided that such trusts shall not be enlarged modified varied or altered save as provided in the next succeeding section.

Trust property: how held.

9. (1) All property from time to time vested in the body corporate shall so far as the same is not subject to any express trust other than the said recited deeds poll be held and dealt with as follows :—

(*a*) property so held for the general purposes of The Salvation Army shall be held and dealt with in accordance with and subject to such of the trusts powers and provisions of

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of the Deed of Constitution and the deed poll of the twenty-sixth day of July one thousand nine hundred and four as are applicable to such general purposes

(*b*) property so held for the Social Work of The Salvation Army shall be held and dealt with in accordance with and subject to the said recited deed poll of the first day of June one thousand nine hundred and twenty :

Provided that no person dealing with the trustees shall be bound to inquire into the propriety or necessity of any such dealing.

Power to vary trusts.

(2) The trustees may from time to time with the consent of the General enlarge modify vary or alter the trusts upon which for the time being any of the said property is held :

Provided that all such property shall subject to any such enlargement modification variation or alteration from time to time be held upon either one or other of the trusts mentioned in the last preceding subsection.

This subsection shall apply to property the subject of any express trust other than the said recited deeds poll only to the extent (if any) and subject to the conditions (if any) in accordance with which such trust could have been altered if this Act had not been passed.

Power to mortgage.

10. The body corporate may from time to time borrow money with or without security or secure the payment of any sum or sums of money and for any such purpose may mortgage or charge all or any real or personal property for the time being vested in it :

Provided that no debt incurred for the general purposes of The Salvation Army shall be secured upon any property which is for the time being held upon trust for the Social Work of The Salvation Army and that any moneys raised on any property which is for the time being held upon trust for the Social Work of The Salvation Army shall only be used for the purposes of the said Social Work.

Power to sell.

11. The body corporate may from time to time sell any real or personal property for the time being vested in it by public auction or private contract as the trustees may deem expedient at such price and upon such terms as to payment of purchase money and on such conditions and generally in such manner as they think fit and may convey transfer or assign the same or any part thereof to the purchaser or purchasers thereof or as he or they may direct and the property so conveyed transferred or assigned shall thereupon be absolutely freed and discharged from the trusts affecting the same.

Protection of mortgagees and purchasers.

12. (1) The receipt in writing of the trustees or of the body corporate or of any person or persons authorised by them or it in writing to receive the same for the moneys borrowed or the mortgage moneys

moneys raised on any property mortgaged by the body corporate or for the purchase money of any property sold under this Act or for any other moneys payable to the trustees or the body corporate shall exonerate the lender the mortgagee the purchaser and any other person paying such moneys as aforesaid from seeing to the application of the same, and from all liability as to the misapplication or non-application thereof and from inquiring into the propriety regularity or necessity of any borrowing, mortgage or sale, lease or other dealing whatsoever.

(2) This section shall be read in aid of and not in derogation from any other protection afforded to any such lender mortgagee purchaser or person by any other Act now or hereafter in force.

Proceeds of sale of real or personal property held for the Social Work.

13. The proceeds of the sale of any property real or personal held for the purpose of the said Social Work shall be devoted to the purposes of the said Social Work and the body corporate may for such purposes purchase or otherwise acquire therewith any property real or personal.

Meetings of trustees, minutes, etc.

14. (1) The trustees may regulate the time and place of their meetings and the procedure to be followed thereat.

(2) The trustees shall hold regular meetings, and shall cause to be kept minutes of their proceedings and their resolutions, which shall at all times be open for inspection by the General or any person appointed by him.

Registration of lands.

(3) The trustees shall keep a register of all lands vested in the body corporate and shall indicate in such register which lands are held for the general purposes of The Salvation Army and which are held for the Social Work of The Salvation Army.

Removal of trustees.

15. The General may from time to time by writing remove any person from the office of trustee and appoint another person to be a trustee in the place of any person so removed or whose office has for any other reason become vacant and if the number of trustees is less than seven may appoint additional trustees so that the total number of trustees does not exceed seven.

Power of continuing trustees to act.

16. The continuing trustees, provided there are not less than three trustees, may act notwithstanding any vacancy in the number of trustees either by death, resignation, or removal, but each vacancy shall be filled as soon as practicable after such vacancy occurs.

Appointment of officers: Evidence of resolutions.

17. (1) The trustees may appoint officers of the body corporate and a certificate under the seal of the body corporate of the appointment of a secretary or other officer shall be *prima facie* evidence and in favour of the Crown, the Registrar-General, and every person who deals for value with the trustees conclusive evidence of his or their due appointment.

(2) A certificate signed by the secretary for the time being of the body corporate as to who are the persons for the time being constituting

constituting the body corporate and a certificate of such secretary certifying to any resolutions of the trustees shall be *prima facie* evidence and in favour of the Crown the Registrar-General and every person who deals for value with the trustees conclusive evidence as to who are the trustees for the time being, and of any such resolution (as the case may be) and judicial notice shall be taken of the signature of the secretary for the time being appearing on every such certificate.

Construction of wills, etc.

18. Whenever by any will, deed, or other instrument or by any gift or disposition of property any property, real or personal, has been or is devised, bequeathed, given, granted, released, conveyed, transferred, assigned or appointed to or has been or is declared or directed to be held upon trust for the benefit of The Salvation Army in South Australia or of any of its funds or any department of its work or of any branch, corps, auxiliary, or institution thereof or shall be or become receivable by or payable to or for the benefit of The Salvation Army in South Australia or by to or for the benefit of any such fund, department, branch, corps, auxiliary or institution—

(*a*) Such will, deed, or other instrument gift or disposition shall be construed and operate and take effect as though the body corporate were named therein ;

(*b*) the acknowledgment or receipt of the trustees or of any person or persons authorized in writing by the trustees for any such property shall be a sufficient discharge therefor ; and

(*c*) all property, real or personal, so devised, bequeathed, given, granted, released, conveyed, transferred, assigned, or appointed, or declared or directed to be held upon trust as aforesaid shall, subject to the trusts of such will, deed, or other instrument, gift or disposition and subject to any direction to the contrary therein contained or declared thereby so far as the same are capable of taking effect, be under the direction and control of the trustees; and they may call for the transfer, conveyance, assignment, or delivery thereof to the body corporate.

Vesting in trustees of property given or devised, etc., for the benefit of The Salvation Army.

19. Whenever by any will, deed, or other instrument, or by any gift or disposition of property made before but not taking effect until after the commencement of this Act, or by any will, deed or other instrument or by any gift or other disposition of property made after the commencement of this Act any real or personal property has been or is devised, bequeathed, or given to or for the benefit of The Salvation Army in South Australia or to or for the benefit of any of its funds, or of any department of its work, or of any branch, corps, auxiliary, or institution thereof (other than real or personal property devised, bequeathed, or given to specific trustees upon trust for The Salvation Army or for any such

such fund, department, branch corps, auxiliary or institution thereof) all such real and personal property shall vest in the body corporate.

Saving of rights.

20. Nothing contained in or done under this Act shall be deemed to affect prejudicially or to deprive any person of any right whatsoever which if this Act had not been passed might have been enforceable against the General or his predecessors in office; and such right so far as it relates to any property vested in the body corporate pursuant to this Act may be enforced against the body corporate.

Vesting of rights of the General in the trustees.

21. Any rights, however arising, relating in any wise to the real and personal property held in trust for or pursuant to this Act vested in the body corporate which were at the time of his death in the said William Bramwell Booth or immediately before the commencement of this Act were in the General are hereby vested in the body corporate and may be enforced by it in the same manner as the said William Bramwell Booth if he were still living or the General (as the case may be) might have enforced the same if this Act had not been passed.

Vesting of estates in land in trustees.

22. Where any property which but for this section would be vested in the body corporate under or by virtue of this Act consists of any estate in land then such estate shall be held on trust for or on behalf of the body corporate and—

(*a*) if such property is an estate in land under The Real Property Act, 1886, on application in that behalf by the trustees to the Registrar-General and on proof to his satisfaction of the facts relating thereto and payment of the proper fees, he shall make the proper entry in the register book and thereupon without any transfer of such estate the whole estate shall vest in the body corporate:

(*b*) if such property is an estate in land not under The Real Property Act, 1886, on application in that behalf by the trustees to the Registrar-General and on proof to his satisfaction of the facts relating thereto and payment of the proper fees, he shall make the proper entry in the appropriate register and thereupon without any conveyance or other assurance of such estate it shall vest in the body corporate for all the estate of the person so holding on trust.

Delegation of powers by the General.

23. The General may from time to time delegate to any person or persons the exercise of all or any of the powers conferred upon him by this Act and may from time to time revoke any such delegation and for the purposes aforesaid may execute such powers of attorney and other instruments as he may think fit.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

A. HORE-RUTHVEN, Governor.

Adelaide: By authority, HARRISON WEIR, Government Printer, North Terrace.

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

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Chelsie Butler

RECOMMENDATION

1. 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.

2. That Council determine ..... and ..... 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.

3. 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.

PURPOSE

The purpose of this report is for Council to determine its preferred candidates for the two council-elected trustee positions on the Board of Trustees of the Local Government Finance Authority of South Australia.

BACKGROUND

The Local Government Finance Authority of South Australia (LGFA) is a corporate body established under the *Local Government Finance Authority Act 1983* and is governed by a Board of Trustees.

On 13 October 2026, Council received correspondence from the LGFA advising of an election for positions of Representative Members on the Board of Trustees. The correspondence advises that seven nominations have been received and, as a result, a postal ballot is required to determine the successful candidates. A copy of the correspondence is provided at Attachment 1.

The LGFA Board comprises seven trustees and may also include up to two co-opted board members with specialist financial expertise.

The Board consists of:

- two trustees nominated by the Local Government Association of South Australia (LGA)
- the Chief Executive Officer of the LGA
- two trustees elected by member councils
- one trustee appointed by the Treasurer
- one trustee appointed as the Minister's representative; and
- up to two co-opted board members appointed by the Board from time to time.

Every two years, various positions on the Board become subject to election, appointment or reappointment.

This report relates specifically to the election of the two trustee positions elected by member councils.

Council recently considered support for Chris White's nomination to an LGFA Board position through the Local Government Association nomination process. That nomination relates to one of the LGA-appointed trustee positions and is separate from the election currently before Council.

The LGFA has advised that elections are required for the two existing council-elected trustee positions currently held by Grant Piggott (City of Norwood Payneham and St Peters) and Michael Sedgman (City of Adelaide). Seven nominations have been received, requiring a postal ballot to be conducted.

COMMENTARY

The LGFA correspondence advises that seven nominations have been received for the two council-elected trustee positions on the Board of Trustees. The nominated candidates are:

- Chris Cowley, Chief Executive Officer, Town of Gawler.
- Samantha Grieve, Manager Finance and Procurement, City of Port Adelaide Enfield.
- Grant Piggott, Councillor, City of Norwood Payneham and St Peters and current LGFA Trustee.
- Michael Sedgman, Chief Executive Officer, City of Adelaide and current Chair of the LGFA Board.
- John Smedley, Deputy Mayor, City of Holdfast Bay.
- John Woodward, Councillor, City of West Torrens.
- Simon Zbierski, Manager Finance, Corporation of the City of Campbelltown.

Candidate resumes supplied by the LGFA have been provided to Council Members as supporting documentation separate to the agenda due to the confidential nature of the documents.

Voting process

The LGFA has advised that member councils must determine by resolution which candidates they wish to elect, with a maximum of two candidates permitted. Following Council's decision, the official LGFA ballot paper must be completed in accordance with the election instructions. A copy of the ballot paper is provided at Attachment 2.

To assist Council in determining its preferred candidates, it is proposed that Council conduct a secret ballot. The ballot will allow Council Members to independently vote for their preferred candidates from the seven nominations received.

The Chief Executive Officer is proposed to act as the Returning Officer for the purpose of conducting the secret ballot, counting votes and declaring the two candidates selected by Council.

Following declaration of the successful candidates, those names will be inserted into Recommendation 3 before Council formally resolves its preferred candidates for the two council-elected trustee positions.

Once determined, Council's appointed LGFA Annual General Meeting representative, Mayor Moira Jenkins, must complete the official LGFA ballot paper by marking an "X" next to Council's selected candidates. The ballot documentation must then be returned to the LGFA in accordance with the election instructions.

All votes must be received by the LGFA Returning Officer by 5.00pm on Friday, 20 November 2026.

RISK ASSESSMENT

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

Legal and Compliance - There is a risk that Council's vote may be informal or invalid if the candidates are not determined by Council resolution or the official ballot documentation is not completed in accordance with the LGFA's requirements. This risk will be mitigated by conducting the internal ballot under the supervision of the Chief Executive Officer as Returning Officer, clearly recording Council's selected candidates in the resolution and completing the official ballot during the Council meeting. 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 Finance Authority Act 1983

- Section 7 - Constitution of the Board

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications associated with Council determining its preferred candidates and completing the LGFA ballot.

No additional funds are required.

CONSULTATION

Group Manager Governance and Finance - Kellie Knight-Stacey

Senior Governance Officer - Kyla Walker

ATTACHMENTS

Attachment 1 - Local Government Finance Authority of South Australia Correspondence - Election for the Positions of Representative Members of the Board of Trustees

Attachment 2 - Local Government Finance Authority of South Australia Ballot Paper - Election for the Positions of Representative Members of the Board of Trustees

Attachment 1 - Local Government Finance Authority of South Australia Correspondence - Election for the Positions of Representative Members of the Board of Trustees

Local Government Finance Authority

TO: **Chief Executive Officer**

RE: **Elections for the positions of Representative Members of the Board of Trustees**

Our circular of 13 July 2026 called for nominations to fill the two representative board member positions (provided by Section 7(1)(a) of the *Local Government Finance Authority Act 1983*) currently held by Mr Grant Piggott (City of Norwood, Payneham & St Peters) and by Mr Michael Sedgman (City of Adelaide).

Seven nominations have been received for the two positions, and as previously indicated in the abovementioned circular, the election will be conducted by postal ballot.

Enclosed please find details supplied by each candidate to assist councils in determining the candidates for whom they wish to vote. If councils wish to ascertain further details, they may contact the individual candidates direct.

In order to comply with the Rules of the Authority, the casting of the vote by your council must be conducted as follows:-

1. The voting must be on the enclosed ballot paper which has all the candidates listed in alphabetical order together with the closing date for the election.

2. The council must by Resolution determine which candidates (being not more than two) they wish to elect.

3. The council's representative to the AGM of the Local Government Finance Authority of South Australia (or in his absence the councillor chairing the council meeting) shall at the council meeting in his own handwriting mark the ballot paper with an "x" next to the two candidates whom the council wishes elected. Please do not type in the "x" after the meeting or mark the ballot paper in any other way.

4. (a) The ballot paper should then be inserted in the attached small white 11B envelope addressed to the Returning Officer which is marked "Confidential Ballot Paper".

4. (b) The "Confidential Ballot Paper" envelope should then be placed in the middle sized DL envelope addressed to the Returning Officer and the council's name is to be recorded only on this particular envelope. It will be noted that the signature of the appointed AGM delegate should be added (if the delegate is absent the signature of the Chair of the council meeting).

4. (c) Finally, the middle sized envelope is to be returned to the Chief Executive Officer, Local Government Finance Authority of South Australia, Suite 1205, 147 Pirie Street, Adelaide, 5000, in the self addressed large C5 envelope which is included for that purpose. Please allow for adequate postage times.

Local Government Finance Authority of South Australia
Suite 1205, 147 Pirie Street, Adelaide SA 5000
P: 08 8223 1550 E: admin@lgfa.com.au W: www.lgfa.com.au ABN: 80 189 672 209

5. All votes must be received by the Returning Officer by 5.00 pm on **Friday 20 November 2026.**

6. Only use the ballot paper enclosed with the signature of I Seah on the reverse, and if an error is made, return the spoilt ballot paper to this office and another will be returned to you.

If you have any further queries on the matter, please contact the undersigned, or Ivan Seah at this office.

Kindly arrange for this circular to be included on the council's next agenda for the information of the elected members.





Davin Lambert
Chief Executive Officer

Ivan Seah
Returning Officer

8 October 2026

Ballot Paper to go into small 11B envelope -

A)

CONFIDENTIAL BALLOT PAPER

The Returning Officer
Local Government Finance Authority of South Australia
Suite 1205, 147 Pirie Street
ADELAIDE SA 5000

then small envelope into middle size DL envelope

B)

The Returning Officer
Local Government Finance Authority of South Australia
Suite 1205, 147 Pirie Street
ADELAIDE SA 5000

COUNCIL NAME SIGNATURE AGM REPRESENTATIVE

then POST to LGFA in large C5 envelope provided (Please allow adequate postage times)

C)

Chief Executive Officer
Local Government Finance Authority of South Australia
Suite 1205, 147 Pirie Street
ADELAIDE SA 5000

Attachment 2 - Local Government Finance Authority of South Australia Ballot Paper - Election for the Positions of Representative Members of the Board of Trustees

Local Government Finance Authority

LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA

BALLOT PAPER

REPRESENTATIVE BOARD MEMBER

Two (2) Required:-

Place "X" next to two names you wish to vote for.

COWLEY, C	☐
GRIEVE, S	☐
PIGGOTT, G	☐
SEDGMAN, M	☐
SMEDLEY, J	☐
WOODWARD, J	☐
ZBIERSKI, S	☐

CLOSING DATE: 5.00 PM at the office of the LGFA, Friday 20 November 2026

LGFABALLOT2026

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

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Chelsie Butler

RECOMMENDATION

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; and

    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.

PURPOSE

The purpose of this report is to appoint the City's Chief Executive Officer, Chris White, as Council's representative on the Southern and Hills Local Government Association Board and to appoint Karen Rokicinski, Director Corporate and Customer Service, as Deputy Board Member.

BACKGROUND

The Southern and Hills Local Government Association (SHLGA) is a regional subsidiary established by constituent councils across the Southern and Hills region of South Australia. SHLGA provides a platform for regional collaboration, advocacy and the delivery of initiatives that benefit member councils and their communities.

The SHLGA Board comprises nominated representatives from each constituent council and is responsible for overseeing the administration and affairs of the Association. The City of Victor Harbor is represented on the Board by the Mayor and the Chief Executive Officer, however, in accordance with the Southern and Hills Local Government Association Charter, Board appointments are to a person not a position.

Following the departure of Council's previous Chief Executive Officer, the position on the SHLGA Board became vacant. The Acting Chief Executive Officer has been serving as a proxy Board member pending appointment of a permanent Chief Executive Officer and Council's consideration of a long-term appointment.

The SHLGA Charter also allows each constituent council to appoint one Deputy Board Member for each of its appointed Board Members. A Deputy is appointed in relation to a specific Board Member and may act in that Board Member's place when they are unable to attend a meeting.

COMMENTARY

Council recently appointed Chris White as Chief Executive Officer. As the principal administrative officer of the City of Victor Harbor, it is appropriate that the Chief Executive Officer represents Council on the SHLGA Board alongside the Mayor.

Appointment to the SHLGA Board will ensure the City of Victor Harbor continues to be represented in regional discussions and decision-making processes affecting constituent councils. The role provides opportunities to contribute to regional advocacy, strategic planning and collaborative initiatives across the Southern and Hills region.

The appointment will also fill the vacancy arising from the CEO transition and provide certainty regarding Council's ongoing representation within SHLGA.

The SHLGA Charter provides that a Deputy Board Member may attend a Board meeting in place of the Board Member when that member is absent and will exercise the same participation and voting rights for that meeting. A Deputy must be appointed for a specific Board Member and cannot act as Deputy for both of Council's Board Members.

Chris White has nominated Karen Rokicinski, Director Corporate and Customer Service, to serve as his Deputy Board Member. This appointment will provide a standing arrangement to maintain Council representation at SHLGA Board meetings when the Chief Executive Officer is unable to attend.

Where both the appointed Board Member and their nominated Deputy are unavailable, the Charter separately allows the Mayor and Chief Executive Officer to appoint another representative to attend a specific meeting as a proxy.

RISK ASSESSMENT

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

Legal and Compliance - Failure to appoint a CEO representative to SHLGA may reduce Council's ability to participate effectively in regional decision-making and advocacy through SHLGA. 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:

Southern and Hills LGA Charter

- Clause 5.1 - Membership of the Board

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in appointing members to the Southern and Hills LGA Board. Any costs associated with attendance at SHLGA Board meetings will be met from Council's existing operating budget.

No additional funds are required.

CONSULTATION

Chief Executive Officer - Chris White

Director Corporate and Customer Service - Karen Rokicinski

Southern and Hills LGA - Lisa Teburea (Executive Officer)

ATTACHMENTS

Nil

10. COMMUNITY AND DEVELOPMENT

10.1. Victor Harbor Integrated Transport Strategy

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: David Read

RECOMMENDATION

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 as provided at 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.

PURPOSE

The purpose of this report is to seek Council's endorsement of the future strategic elements and long-term planning vision of the Victor Harbor Integrated Transport Strategy (VHITS) and approve proceeding to public consultation.

BACKGROUND

The Victor Harbor Integrated Transport Strategy (VHITS) is being delivered as part of Council's Local Government Act 1999 responsibilities and the subsequent implementation of the Council endorsed Urban Growth Management Strategy (UGMS), formally adopted at the Ordinary Council Meeting held on 22 September 2025 as follows:

OC2592025

Moved: Cr David Kemp

Seconded: Cr Stewart Burns

1. *That Council receive and note the Engagement Summary - Urban Growth Management Strategy report (UGMS Final Engagement, June - July 2025) as provided under separate cover.*

2. *That Council adopt the Victor Harbor Urban Growth Management Strategy 2050 (UGMS) as provided under separate cover.*

CARRIED

There are three key actions within the UGMS which require Council to undertake infrastructure investigations to inform:

- Growth area prioritisation, to guide the Local Area Plan (Housing Strategy) and future iterations of the Greater Adelaide Regional Plan (GARP)

- Infrastructure investigations funding and delivery, including the preparation of Infrastructure Schemes that require developer contributions to infrastructure

- The preparation of a Structure Plan for the Priority Growth Area

At the Ordinary Council Meeting held on 15 December 2025, Council also resolved the following to further progress strategic planning investigations relating to traffic and infrastructure as follows:

OC3792025

Moved: Cr Angela Schiller

Seconded: Cr Marilyn Henderson

That Council requests the Administration to:

1. *Within 2025/26 financial year resources, commence a Traffic and Transport Investigation and Analysis Report as phase one of a comprehensive Traffic and Transport Strategy for the City of Victor Harbor, ensuring the scope for the overall strategy includes, but is not limited to:*

    a. *Assessment of future traffic impacts arising from projected growth.*

    b. *Identification and prioritisation of intersection upgrades*

    c. *Review of pedestrian access and pedestrian safety improvements*

    d. *Review of existing speed limits and potential future adjustments*

    e. *Investigation of potential new road infrastructure required to support future demand.*

    f. *Collate and present data to support and advocate for upgrades to state managed roads within Victor Harbor and transport corridors linking surrounding regions including B-Double access.*

2. *Prepare costings for phase two completion of a comprehensive Traffic and Transport Strategy for the City of Victor Harbor, to be considered as a budget bid for the 2026/27 financial year.*

3. *Ensure that the investigation and costings drawn upon, align with the City of Victor Harbor Urban Growth Management Strategy, including its growth projections, land-use directions, and infrastructure implications.*

CARRIED UNANIMOUSLY

Subsequently, the Victor Harbor Integrated Transport Strategy (VHITS) project was initiated in April 2026 and has been broken into two Phases.

Phase 1 was completed in 2025/26 and provides an audit of Victor Harbor's existing transport systems and networks, provided under separate cover due to size.

Phase 2 of this project has also been endorsed by Council to proceed in 2026/27, intending to build on the knowledge base of Phase 1 (as an evolving/dynamic document) and progress in offering a future integrated transport Strategy for Council and the community to use and work towards.

The final product will provide a visionary plan to assist Council in making future, well informed decisions on the context of the State Government's pending Greater Adelaide Regional Plan (GARP). It will provide a knowledgeable base and position Council for an active, participatory role when planning for Victor Harbor's future urban growth.

Traffic engineering consultancy, SMEC, have been formally engaged by Council to deliver both Phase 1 and 2 of this project and are proposing to undertake the next consultation stage in late 2026 to meet their contractual obligations and delivery timeframes.

COMMENTARY

SMEC has proposed a draft Communications and Engagement Plan to assist Council in delivering the next stage of this VHITS project, with the intention of rolling out the engagement phase in October/November 2026 as provided at Attachment 1. The comprehensive consultation is planned to ensure the project can be delivered on time (as per Contractual project plan between Council and SMEC), before the busy Christmas/New Years period and, before Council's Caretaker period begins in early 2027.

As per the Council Member Briefing Session held on 12 October 2026, the consultation intends to focus on a set of key design and infrastructure elements, to be conveyed via a series of illustrative maps (refer Attachment 2), provided and summarised as follows:

- *Why are we doing this?* - Covers the strategic planning pressures derived from the State Government's GARP and Council Urban Growth Management Strategy (UGMS), describing the implications of planning ahead and/or doing nothing
- *The Vision: One Region* - What is required for planning ahead and aiming for towards a long-term vision (and its implications)
- *Key Element: Public Transport* - Conveys an aspirational, future public transport network
- *Key Element: Walking and Cycling* - Conveys an aspirational, future pedestrian and cycling network
- *Current Plan: Business as Usual* - Covers the implications of the UGMS's plans and subsequent roll out

- *Key Element: Existing Freight Bypass* - Covers Armstrong Road/Ring Road to be retained, offering two centres either side (to the north and south), thereby providing a new outer centre and retain the existing centre

- *Key Element: Alternative Freight Bypass* - Where Armstrong Road/Ring Road is to become a future collector/distributor road, together with a new outer freight route.

These maps, with the incorporated structural elements, have all been designed to initiate engagement and discussion (*for consultation purpose only*). They will also evolve and become further enhanced as the project progresses.

The results of the intended and pending engagement process will be presented back to Council for further consideration and future progression of the VHITS project.

Next Steps in 2026/27:

- Consultation - October/November 2026

- Consultation Summary of Feedback - December 2026/January 2027

- Council Member Briefing - January 2027

- Council Meeting - February 2027, endorse an *Ultimate Vision*

- SMEC's tasks - February/June 2027, complete *Ultimate Vison* testing, coding, modelling, staging priorities, interventions, approximate investment/costings, contributions framework, gap analysis, implementation plan

- Council Member Briefing - May 2027, introduction and project update

- Council Member Briefing - June 2027, present a Draft VHITS

- Council Meeting - June 2027, Council endorse a Final VHITS

VHITS's Deliverables:

- Set a future Vision for the transport network of Victor Harbor (and the southern coastal Fleurieu region) which will be further developed

- Create an ultimate transport network, to be tested within a Road Assessment Model (RAM) and then used to develop a future staged implementation plan (across interim years)

- Develop a contributions framework to assist and guide Council into the future

- Deliver a final, public facing Integrated Transport Strategy for the City of Victor Harbor.

RISK ASSESSMENT

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

Reputation - Council has a strategic, budget and contractual obligation to deliver this project in 2026/27. The associated expectations and reputation of Council to deliver this endorsed project by/for the community and external parties already exists. Council's ongoing commitment to progress this project is therefore a significant consideration. For this project to proceed effectively, consultation must therefore occur as soon as possible. This risk is assessed as ***medium***.

Service Delivery - Council has a contractual obligation to deliver this project in 2026/27 with consultant, SMEC (C0000243). As a result, timing is critical and the period available for consultation and community engagement is subsequently limited, as it needs to occur before the Christmas/New Years period and, Council's Caretaker Period. For this project to proceed effectively, consultation must therefore occur as soon as possible to proceed with this phase of the project's delivery. This risk is assessed as ***high***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 3 - We manage growth and change responsibly

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

Other references used:

Local Government Act, 1999

- Section 122 - Councils are required to develop and adopt strategic management plans for the management of their area

Greater Adelaide Regional Plan (GARP)

Victor Harbor Urban Growth Management Strategy (UGMS)

BUDGET IMPLICATIONS

There are sufficient funds in Project #*Planning* (100087) for the purposes of delivering Phase 2 of the Victor Harbor Integrated Transport Strategy at an estimated cost of $100,000 as per Contract C0000243 between Council and SMEC, which includes consultant costs.

No additional funds are required.

CONSULTATION

Council Members at a Briefing Session held 12 October 2026

Interim Chief Executive Officer - Graham Pathuis

Acting Director Community and Development - Jodi Roberts

Key Staff at a workshop held 30 September 2026

ATTACHMENTS

Attachment 1 - Victor Harbor Integrated Transport Strategy Communication and Engagement Plan

Attachment 2 - Victor Harbor Integrated Transport Strategy Draft Consultation Maps

Attachment Under Separate Cover - Draft Victor Harbor Integrated Transport Strategy

Attachment 1 - Victor Harbor Integrated Transport Strategy Communication and Engagement Plan

Victor Harbor Integrated Transport Strategy
Communications and Engagement Plan

Introduction

This Communications and Engagement Plan has been developed to guide how community and stakeholder feedback will be sought on options for Victor Harbor's future transport network as part of the Integrated Transport Strategy.

Victor Harbor is forecast for major growth. The Greater Adelaide Regional Plan (GARP) has identified Victor Harbor as a key growth region for South Australia to 2051 (and beyond). It is also designated a regional centre in the GARP. This means Victor Harbor must accommodate growth in services, functions, and facilities to meet regional need. The township is also a key destination for tourism and seasonal visitors.

Council's Urban Growth Management Strategy (UGMS) is a blueprint for managing this growth in a way that meets community needs whilst protecting the unique aspects of Victor Harbor. A key part is planning for services and infrastructure, including an integrated and connected transport system.

Council is preparing the Victor Harbor Integrated Transport Strategy (VHITS) to look at how all components of the transport system (roads, public transport, parking, freight, walking and cycling paths) can work together to connect the current and future community with jobs, services, entertainment, and each other.

As part of preparing the VHITS, options for Victor Harbor's future transport network have been prepared that show transport routes and connections across the Council area.

Council now wants to understand what the community and stakeholders think about the options. Feedback received will be used to finalise the Integrated Transport Strategy ready for Council adoption.

Purpose of community engagement

- To build awareness that Victor Harbor is growing and Council needs to plan for an integrated and connected transport network to meet community, business and visitor needs into the future.
- To seek community and stakeholder feedback on options for Victor Harbor's future transport network.

Previous Engagement

Input gathered through the following engagements has been considered to prepare options for the VHITS future transport network.

- In June 2026 the VHITS project team engaged State Government agencies to understand what they see as the key issues, opportunities and considerations for transport planning in Victor Harbour.
- The wider Victor Harbor community was engaged in between 2024 and 2025 to inform the development of Council's Urban Growth Management Strategy.

Engagement Principles

The City of Victor Harbor has a set of five principles which guide our approach to engagement.

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.

Level of Engagement

In addition to the five principles, the council has adopted the following levels of participation (adopted from the International Association for Public Participation's engagement spectrum):

- **Informing** – one-way communication providing balanced and objective information to assist understanding about something that is going to happen or has happened.
- **Consulting** – two-way communication designed to obtain public feedback on a proposal, initiative or issue to inform Council decision making.
- **Active Participation** – Ongoing communication, where community members and Council are working together to ensure concerns and aspirations are understood. While the decision ultimately rests with Council, the community is involved in identifying alternatives and preferred solutions. This may also include involving the community in the development of proposals and options.

The level of engagement for this project is CONSULT as Council is seeking feedback on options for Victor Harbor's future transport network.

	Inform
✓	**Consult**
	Active Participation

Community Engagement Scope

In Scope (Negotiable)

- Feedback on options for Victor Harbor's future transport network.
- High-level whole of transport network design and objectives.

Out of Scope (Non-Negotiable)

- Changes to growth areas.
- Localised detailed design, upgrades or repairs to transport infrastructure.

Risk (Community Engagement Only)

Risk *What might go wrong?*	***Probability*** *How likely is this to happen?*	***Mitigation Strategy*** *How could you prevent this happening?*
Community not understanding/engaging with the technical and strategic content of the option(s).	High	• Prepare a fact sheet that explains what's proposed in plain English and annotated maps. • Provide drop-in session for people to ask questions.
Participants not using/having access to computers to undertake online engagement, or preferring face to face engagement.	High	• Provide hard copy promotions and survey forms. • Provide drop-in session for people to speak face to face with the project team.
Property owners adjacent proposed network options/changes (e.g. freight route) concerned how the strategy may impact them.	Low	• Explain in fact sheet etc that locations are indicative and that precise locations and details will be determined in future in consultation with community and adjacent property owners.

Community Engagement Deliverables

By the end of this project, the following actions will have been delivered:

- Notified the community of the draft Strategy and opportunities to participate.
- Provided information and related material for community reference (fact sheet).
- Community consultation undertaken via combined Council Advisory Groups meeting, community drop-in, your say website and survey forms.
- Summary of engagement findings delivered to Council

Key Messages

- Have your say on options for Victor Harbor's future transport network.
- Victor Harbor is growing. We need a transport network that works with this growth and makes it easy and safe for business, community and visitors to get around.
- Council's Integrated Transport Strategy will look at how our roads, public transport, parking, freight, walking and cycling paths can work together to connect the current and future Victor Harbor community with jobs, services, entertainment, and each other.
- Options for Victor Harbor's future transport network have been prepared. They show possible future transport routes and connections across the Council area. We want to know what you think.
- Your input will help Council finalise the Integrated Transport Strategy.
- Future transport infrastructure will in part require State Government investment. The precise location and design of projects will be developed in consultation with the community and property owners

- **How to have your say**
  - Scan the QR Code to view the options fact sheet and complete the survey or visit *www.yoursay.victor.sa.gov.au/vhits*

    (Hard copies of the options fact sheet and survey are available from the Civic Centre, 1 Bay Road, Victor Harbor)
  - Attend a drop-in information session.
  - Written submission may also be made via:

    Email: *localgov@victor.sa.gov.au*

    Post: PO Box 11, Victor Harbor SA 5211

    In person: delivered to the Civic Centre, 1 Bay Road Victor Harbor

  All submission must be received **by 5pm Sunday 22 November 2026.**

  For more information, visit *www.yoursay.victor.sa.gov.au* or call (08) 8551 0500.

Key Stakeholders

This engagement plan relates to community and stakeholder engagement. As such it does not list Council Elected Members and Staff.

- City of Victor Harbor residents and ratepayers
- Local businesses and workers (inc. local transport businesses)
- Council Advisory Committees
- Resident, business and community groups
- Transport peak bodies: RAA, Bike SA, SA Freight Council, SA Road Transport Association, People for Public Transport, Bus SA, Public Transport Association Australia New Zealand, Walking SA, Taxi Council, Rideshare Driver Network, Ride Share Drivers' Association of Australia)
- Other peak bodies: COTA, JFA Purple Orange
- Local schools
- Local and Federal Members of Parliament
- Government Agencies: Link SA, Adelaide Metro, Department for Infrastructure and Transport, Department for Housing and Urban Development

How will we engage?

- **Fact Sheet -** in plain English and using annotated maps that explains why the VHITS is being prepared, what the options for the future transport network propose and how to have a say.
- **Face to face engagement** – community drop-in session, at which people can view posters, ask questions of the project team and complete a survey.
- **Civic Centre Display** - – display of posters of fact sheet content. Posters will also be used for the drop-in session.
- **Combined Advisory Groups meeting** – at which a presentation on the options will be delivered and representative of available members of Council's Advisory Groups can asked questions. The presentation will be of the different future network visions, seeking feedback from these representatives. This meeting is proposed to be held in the Council meeting rooms (within the library building).
- **Survey** – available online at Your Say Victor Harbor (www.yoursay.victor.sa.gov.au) or in hard copy.
- **Written submission –** via email, post or hand delivered to the Civic Centre.
- **Promotion** – Via Council's Facebook page, posters, and emails to encourage community participation via the survey and drop-in session.



Communications and Engagement Matrix

	City of Victor Harbor Residents and Ratepayers	Local Businesses and Workers	Transport businesses	Council Advisory Committees	Local Schools	Interest Groups	Local and Federal Members of Parliament	Government Agencies	Peak Bodies	Adjacent Councils	Media
Public Notice	x	x	x			x	x	x			x
Fact sheet	x	x		x	x	x	x	x			x
Posters for display	x	x				x					
Victor Viewpoint	x	x	x	x	x	x	x	x	x		x
Advertisements?											
Media Releases											x
City of Victor Harbor Website	x	x	x	x	x	x	x	x	x		x
Feedback form	x	x	x	x	x	x					
Written submissions	x	x	x	x	x	x	x	x	x	x	
Direct email			x	x	x	x	x	x	x		
Your Say Victor Harbor webpage	x	x	x	x	x	x	x	x	x		x
Facebook	x	x	x		x	x					
Community Drop-in	x	x	x	x		x					
Combined Advisory Committees meeting				x							
Close the loop	x	x	x	x	x	x	x	x	x	x	x

Key Dates / Timeline

Consultation period: Friday 30 October to 5pm Sunday 22 November 2026 (23 days)

Date	Action / Milestone	Who
By 30/09/26	Book rooms for combined Advisory Groups meeting and community drop-in, and source tables/display boards for drop-in posters	COVH
By 23/10/26	Prepare fact sheet	URPS (SMEC to provide technical content)
By 23/10/26	Prepare survey	URPS
By 23/10/26	Prepare community drop-in plan and posters	URPS
By 23/10/26	Upload fact sheet and survey to your say	COVH
By 23/10/26	Prepare promotional materials using key messages in this plan (Victor Viewpoint, public notice, poster, stakeholder email,)	COVH
26/10/26	Council meeting to present this plan for adoption	-
Thursday 29/10/26	Launch consultation – print and put up posters, send emails, post socials, send invitation for combined Advisory Groups meeting	COVH
By 22/11/26	Facilitate community drop-in Facilitate combined Advisory Groups meeting Date, time and location TBC	URPS (SMEC to attend/ answer questions / present)
Sunday 22/11/26 5pm	Consultation closes	-
By 7/12/26	Prepare Engagement Report	URPS
By 11/12/26	Prepare and send close the loop message to respondents and update the webpage with engagement report and next steps.	COVH

Measurement and Evaluation

The success of this Communications and Engagement Plan can be measured in the following ways:

- Number of people attending drop-in session and advisory group meeting.
- Number of hard copy and online surveys completed.
- Visits to Your Say Victor Harbor website.
- Number of downloads of the fact sheet.

Attachment 2 - Victor Harbor Integrated Transport Strategy Draft Consultation Maps

VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY

WHY ARE WE DOING THIS?

Victor Harbor is planning for major growth. The Greater Adelaide Regional Plan (GARP) has identified Victor Harbor as a key growth region for South Australia, and the hub of the Southern Fleurieu region. **The population is forecast to roughly double to 36,000 people.** Victor Harbor Council is doing a lot of planning to prepare for this growth, which includes moving people and goods safely as the population (of Victor Harbor and the wider region) grows.

Council is developing the Victor Harbor Integrated Transport Strategy (VHITS) to guide long-term, strategic transport planning decisions. The VHITS aims to provide an overall guide for the future of all elements of transport in Victor Harbor, towards a 'Vision' of what the future transport network of Victor Harbor will look like. This includes all the dimensions shown below.

The Victor Harbor Integrated Transport Strategy will guide long-term transport planning decisions as the population of Victor Harbor doubles

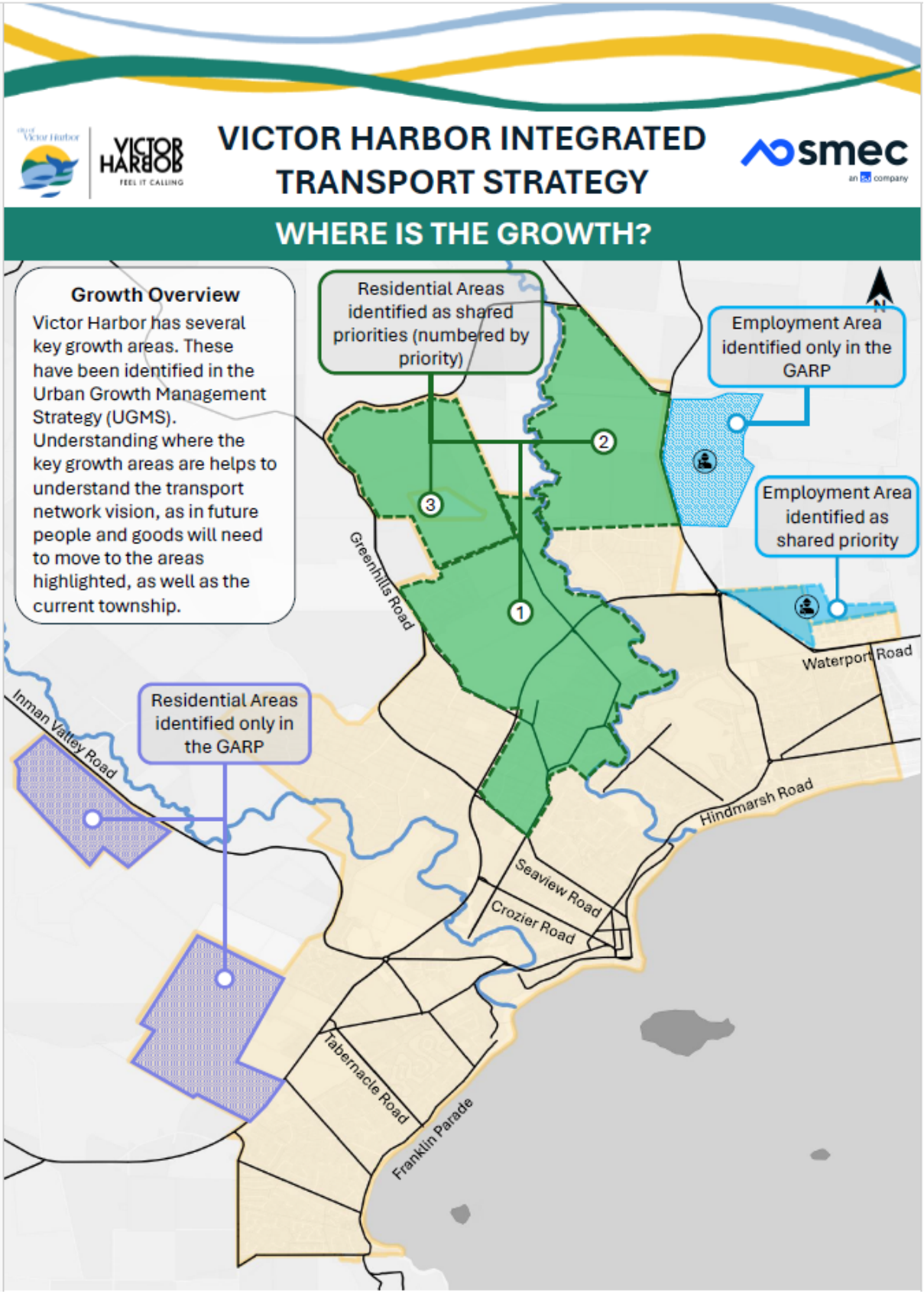


We have developed a preliminary Vision of the future transport network. We are seeking feedback on the key elements of the future network, as we want the Vision to reflect the current community's views. The Vision is presented up front, followed by a series of key decision points that we are seeking feedback on.

When providing your responses, please remember.

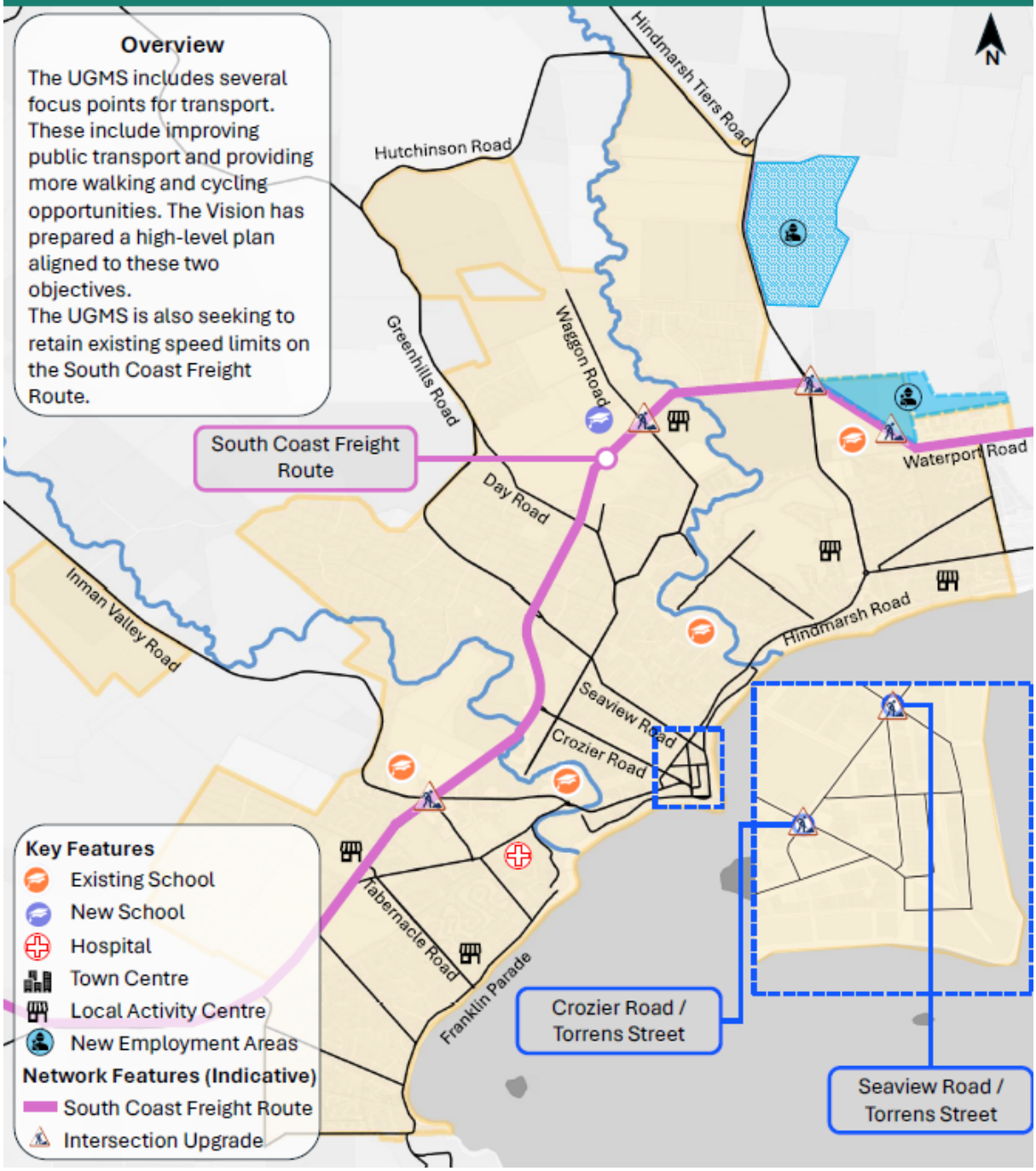
- The Vision is long term. It could occur over 50 years into the future.
- The Vision is strategic. The focus is on major decisions.
- The Vision is yours! We want to know what you think.

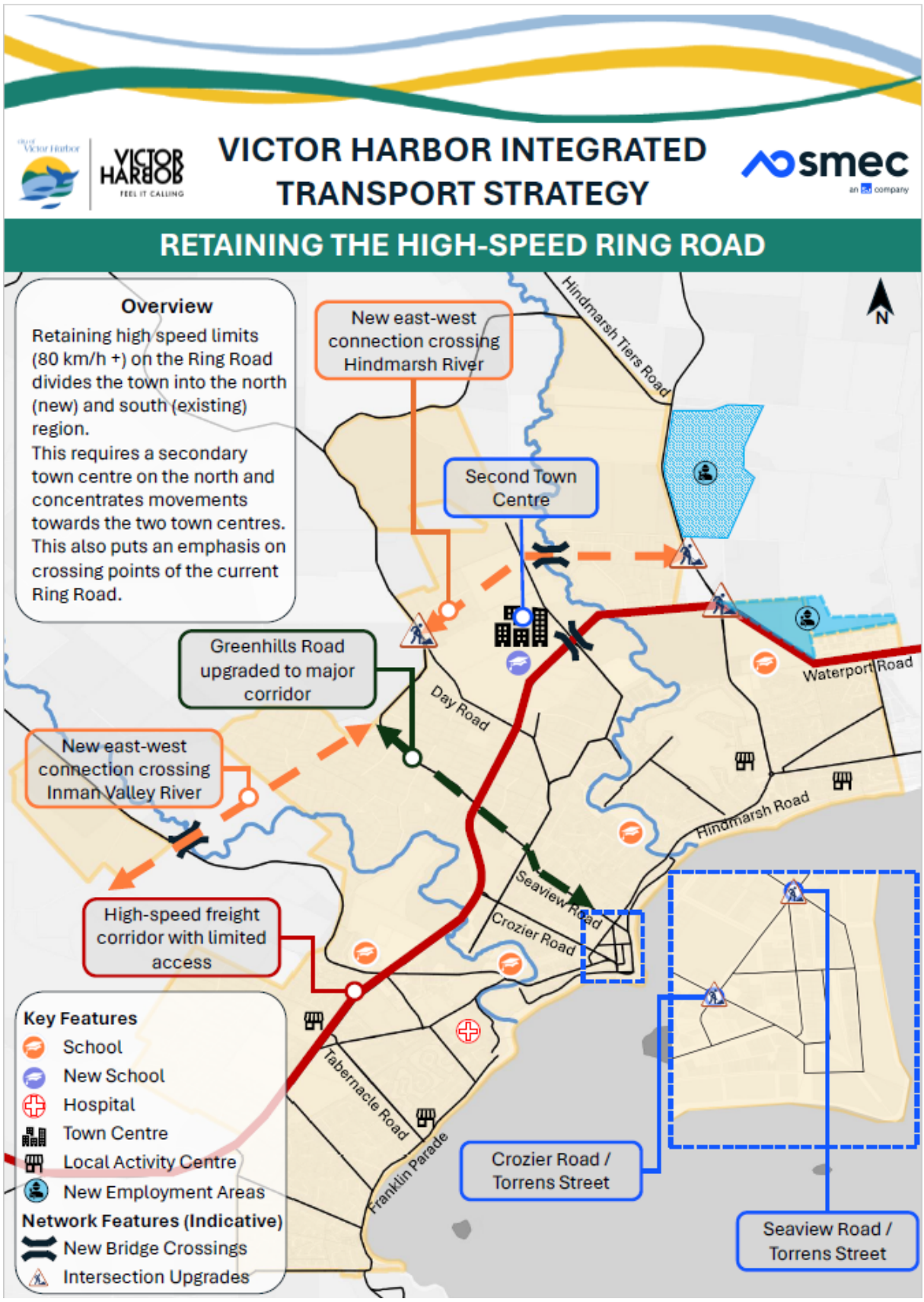
LOOK FOR THE GREEN BOX TO FIND THE KEY QUESTIONS WE WANT ANSWERED!


VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY
smec
an ARUP company
WHERE IS THE GROWTH?
Growth Overview
Victor Harbor has several key growth areas. These have been identified in the Urban Growth Management Strategy (UGMS). Understanding where the key growth areas are helps to understand the transport network vision, as in future people and goods will need to move to the areas highlighted, as well as the current township.
Residential Areas identified as shared priorities (numbered by priority)
Employment Area identified only in the GARP
Employment Area identified as shared priority
Residential Areas identified only in the GARP
1
2
3
N
Greenhills Road
Waterport Road
Hindmarsh Road
Inman Valley Road
Seaview Road
Crozier Road
Tabernacle Road
Franklin Parade

VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY

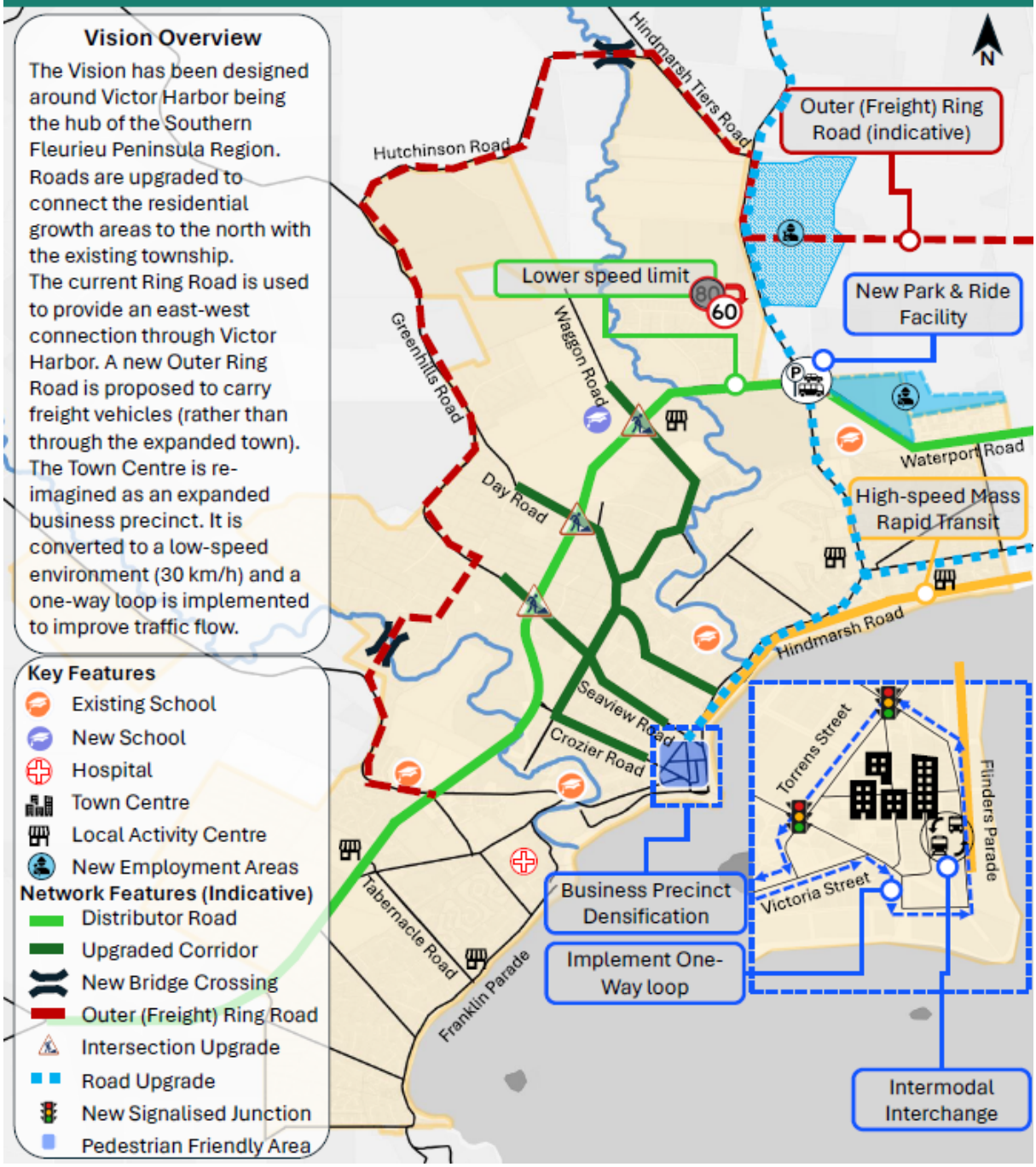
FROM THE URBAN GROWTH MANAGEMENT STRATEGY

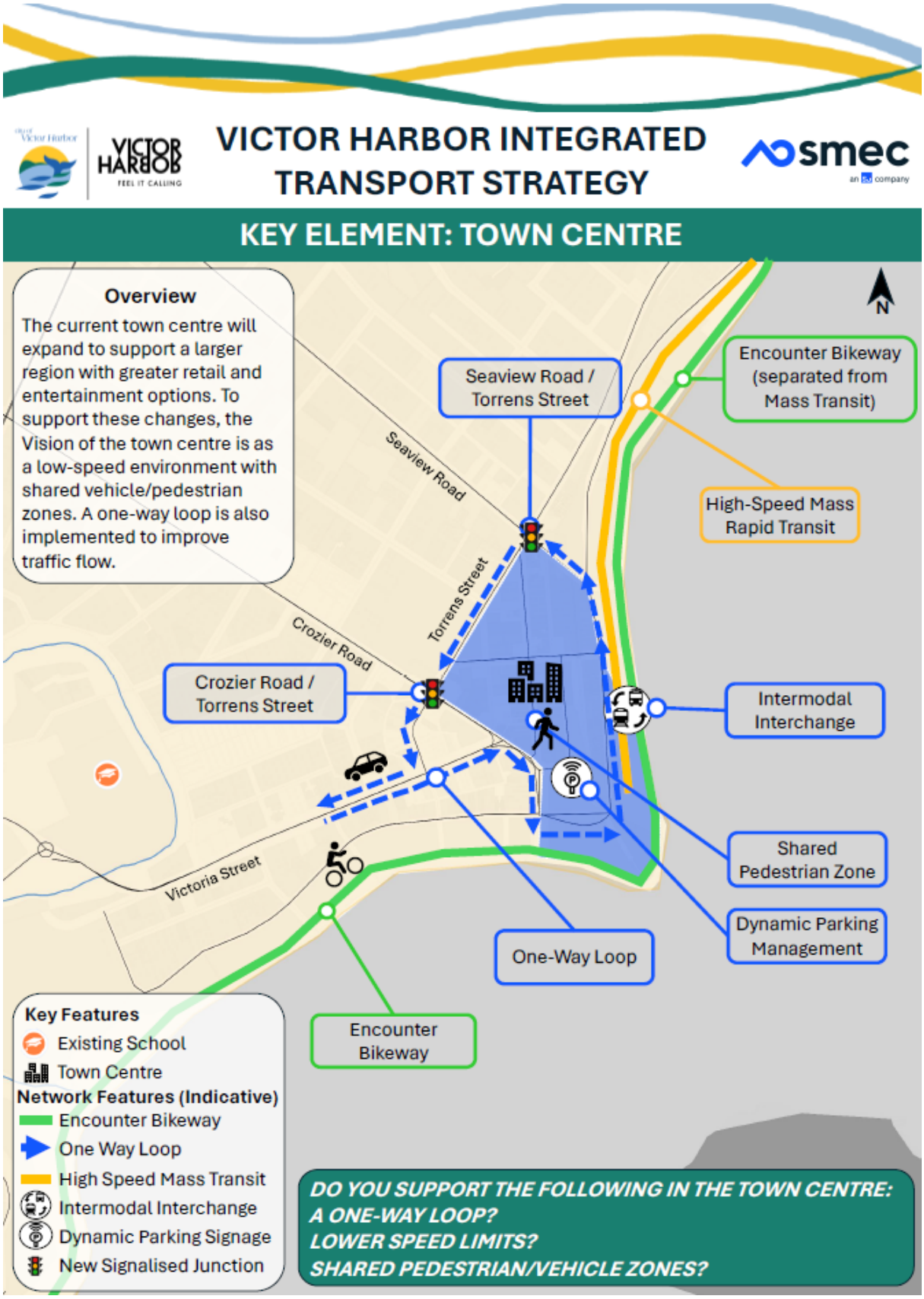


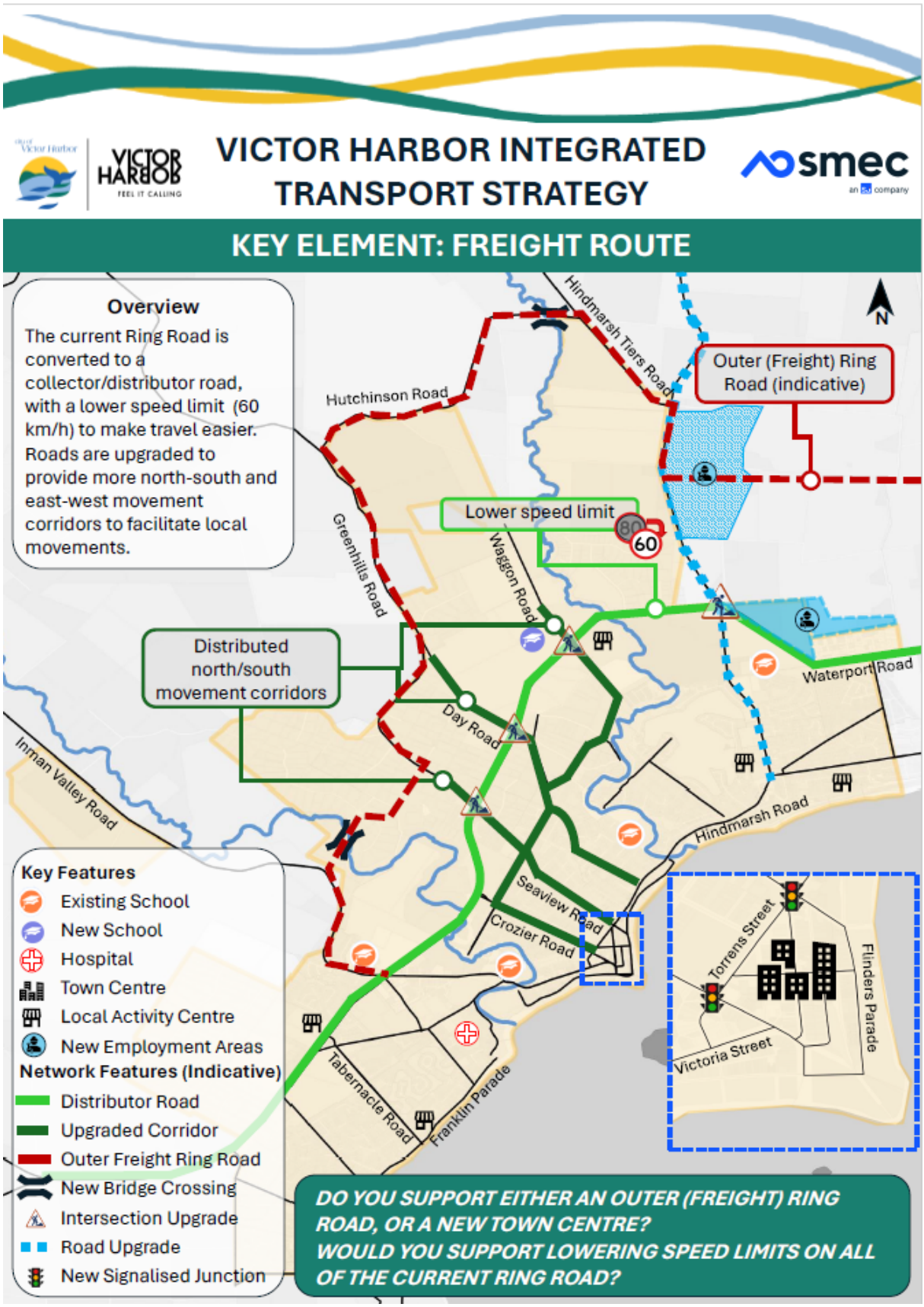

VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY
smec
RETAINING THE HIGH-SPEED RING ROAD
Overview
Retaining high speed limits (80 km/h +) on the Ring Road divides the town into the north (new) and south (existing) region.
This requires a secondary town centre on the north and concentrates movements towards the two town centres. This also puts an emphasis on crossing points of the current Ring Road.
New east-west connection crossing Hindmarsh River
Second Town Centre
Greenhills Road upgraded to major corridor
New east-west connection crossing Inman Valley River
High-speed freight corridor with limited access
Crozier Road / Torrens Street
Seaview Road / Torrens Street
Hindmarsh Tiers Road
Waterport Road
Day Road
Hindmarsh Road
Seaview Road
Crozier Road
Tabernacle Road
Franklin Parade
N
Key Features
School
New School
Hospital
Town Centre
Local Activity Centre
New Employment Areas
Network Features (Indicative)
New Bridge Crossings
Intersection Upgrades

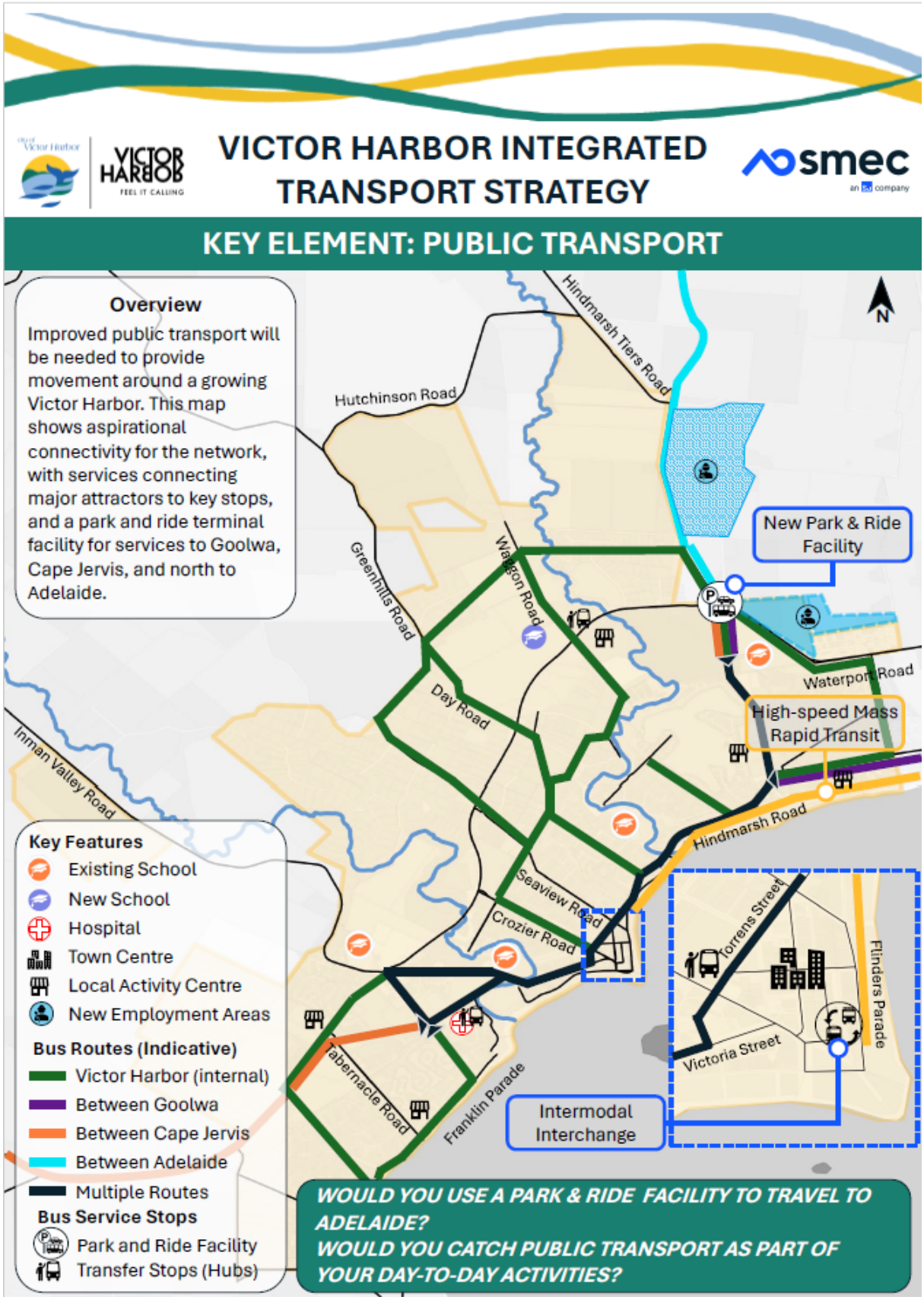
VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY

THE VISION: A NETWORK FOR ONE REGION



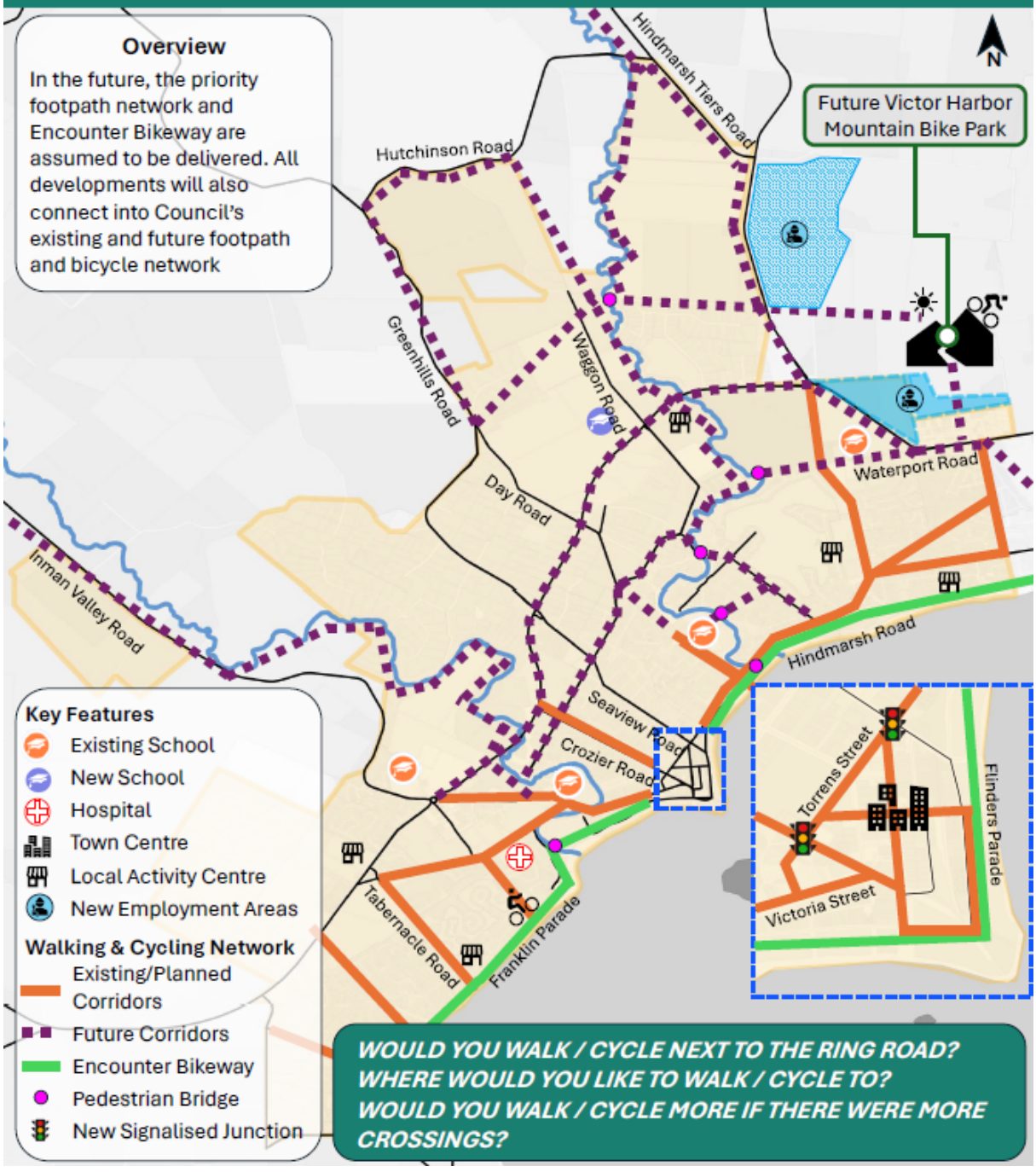

VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY
smec
KEY ELEMENT: TOWN CENTRE
Overview
The current town centre will expand to support a larger region with greater retail and entertainment options. To support these changes, the Vision of the town centre is as a low-speed environment with shared vehicle/pedestrian zones. A one-way loop is also implemented to improve traffic flow.
N
Seaview Road / Torrens Street
Encounter Bikeway (separated from Mass Transit)
High-Speed Mass Rapid Transit
Seaview Road
Torrens Street
Crozier Road
Crozier Road / Torrens Street
Intermodal Interchange
Shared Pedestrian Zone
Dynamic Parking Management
One-Way Loop
Victoria Street
Encounter Bikeway
Key Features
Existing School
Town Centre
Network Features (Indicative)
Encounter Bikeway
One Way Loop
High Speed Mass Transit
Intermodal Interchange
Dynamic Parking Signage
New Signalised Junction
DO YOU SUPPORT THE FOLLOWING IN THE TOWN CENTRE:
A ONE-WAY LOOP?
LOWER SPEED LIMITS?
SHARED PEDESTRIAN/VEHICLE ZONES?


VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY
smec
KEY ELEMENT: FREIGHT ROUTE
Overview
The current Ring Road is converted to a collector/distributor road, with a lower speed limit (60 km/h) to make travel easier. Roads are upgraded to provide more north-south and east-west movement corridors to facilitate local movements.
Outer (Freight) Ring Road (indicative)
Lower speed limit
80
60
Distributed north/south movement corridors
Hindmarsh Tiers Road
Hutchinson Road
Greenhills Road
Waggon Road
Day Road
Inman Valley Road
Waterport Road
Hindmarsh Road
Seaview Road
Crozier Road
Tabernacle Road
Franklin Parade
Torrens Street
Flinders Parade
Victoria Street
N
Key Features
Existing School
New School
Hospital
Town Centre
Local Activity Centre
New Employment Areas
Network Features (Indicative)
Distributor Road
Upgraded Corridor
Outer Freight Ring Road
New Bridge Crossing
Intersection Upgrade
Road Upgrade
New Signalised Junction
DO YOU SUPPORT EITHER AN OUTER (FREIGHT) RING ROAD, OR A NEW TOWN CENTRE?
WOULD YOU SUPPORT LOWERING SPEED LIMITS ON ALL OF THE CURRENT RING ROAD?


VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY
smec
an AECOM company
KEY ELEMENT: PUBLIC TRANSPORT
Overview
Improved public transport will be needed to provide movement around a growing Victor Harbor. This map shows aspirational connectivity for the network, with services connecting major attractors to key stops, and a park and ride terminal facility for services to Goolwa, Cape Jervis, and north to Adelaide.
N
Hindmarsh Tiers Road
Hutchinson Road
Greenhills Road
Waggon Road
Day Road
Inman Valley Road
New Park & Ride Facility
Waterport Road
High-speed Mass Rapid Transit
Hindmarsh Road
Seaview Road
Crozier Road
Tabernacle Road
Franklin Parade
Intermodal Interchange
Torrens Street
Victoria Street
Flinders Parade
Key Features
Existing School
New School
Hospital
Town Centre
Local Activity Centre
New Employment Areas
Bus Routes (Indicative)
Victor Harbor (internal)
Between Goolwa
Between Cape Jervis
Between Adelaide
Multiple Routes
Bus Service Stops
Park and Ride Facility
Transfer Stops (Hubs)
WOULD YOU USE A PARK & RIDE FACILITY TO TRAVEL TO ADELAIDE?
WOULD YOU CATCH PUBLIC TRANSPORT AS PART OF YOUR DAY-TO-DAY ACTIVITIES?

VICTOR HARBOR INTEGRATED TRANSPORT STRATEGY

KEY ELEMENT: WALKING AND CYCLING



11. CORPORATE AND CUSTOMER SERVICE

12. ENVIRONMENT AND INFRASTRUCTURE

12.1. Capital Projects Update - First Quarter 2026/27

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Jacob Griffin-Bloy

RECOMMENDATION

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

PURPOSE

The purpose of this report is to provide Council Members with an update on the status of key capital projects at the end of the first quarter for the 2026/27 Financial Year.

BACKGROUND

The 2026/27 Detailed Budget was adopted by Council at the Special Council Meeting on Monday, 13 June 2026 as follows:

SC302026

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

That Council, pursuant to Section 123 of the Local Government Act 1999, adopts the draft 2026/27 Budget as presented in the budgeted financial statements provided at Attachment 1, forecasting Net Capital Expenditure of $13,874,500 and an Operating Deficit of $1,856,100.

CARRIED

5:52pm

A division was called

FOR: Cr Brayden Mann, Cr Angela Schiller, Cr Carol Schofield, Cr Marilyn Henderson

AGAINST: Cr Stewart Burns, Cr David Kemp

THE MAYOR DECLARED THE MOTION CARRIED

COMMENTARY

This report provides a summary view of the 2026/27 Capital Works Program delivery and financial performance as of 30 September 2026 including a snapshot of significant projects either complete or in progress, future procurement activities and upcoming community consultation and engagement activities.

There are 67 capital projects within the approved 2026/27 financial year including six major projects (>$600,000) new, upgrade and renewal work.

Major Projects

A status update for the six major capital projects is provided as follows:

Regional Community Sport and Recreation Precinct ($3,471,000)

This project remains in the planning and development phase. Funding agreements have been executed under the Thriving Regions Fund Enabling Infrastructure Program with over $3.3 million in grant funding secured. Current activities are focused on service connection planning and development of enabling infrastructure to support future stages of the project.

Whalers Road - Franklin Parade to White Crescent ($3,000,000 original budget plus $28,000 Work In Progress = $3,028,000)

This project is a multi-year road reconstruction project extending from Franklin Parade to White Crescent. Construction is underway; however, unforeseen clashes with SA Water infrastructure have resulted in a temporary stand down while revised designs are reviewed and approved. Subject to approvals, construction works are expected to continue throughout the financial year with minor lighting works scheduled for completion during early 2027.

Strategic Land Purchase - Mountain Bike Land ($1,500,000)

This project relates to the acquisition of land to support future mountain bike trail development. Development Approval has been granted and final plans are being prepared for lodgement. Settlement is expected to occur following completion of the statutory processes in mid October.

Arts and Culture Centre Design ($705,000)

This project is a continuation of work commenced in previous financial years. During the reporting period, planning and design activities have continued to progress to support future development of the Arts and Culture Centre. Further design development and investigations are being undertaken with future updates to be provided to Council as project milestones are achieved.

Fleet Replacement Program ($669,000)

Procurement activities are well underway for the 2026/27 fleet replacement program, including replacement of three trucks and two utility vehicles. Procurement will continue throughout the year, and delivery will be subject to availability of vehicles from suppliers.

Bitumen Reseal Program ($619,000)

Procurement is currently underway for the annual road reseal program. Candidate sites currently include Welch Road, Bartel Boulevard and Wills Street, with additional works being considered subject to completion of related utility works. The program is scheduled for delivery during the second half of the financial year.

Significant Projects

A snapshot of the progress of other significant capital projects (>$100,000) in progress is provided below:

Project Description	Endorsed Budget ($)	Status
Jenke Road, McCracken Road Widening	539,500	Design and construction were planned within the same financial year. However, consultation with Encounter Lutheran College identified that they have planned construction activities from late 2026 to mid-2027. It is proposed that the construction be deferred until 2027/28 unless an alternative solution for the school buses can be negotiated. Original Budget $599,500, Transfer $60,000 to Crozier Road stormwater project, new budget $539,500.
Glassenbury Drive Stormwater Design and Construction	496,200	Procurement for design and construction is underway and expected to be awarded during Quarter 2.
Resheeting Unsealed Roads Program	464,000	Annual program scheduled to commence subject to weather conditions, with Mont Rosa Road currently identified.
WIP - Yacht Club Upgrade	450,000	Planning approval has been granted and building approval pending. Construction contract has been awarded and sitework started on 17 September to be completed by December 2026.
Olivers Parade Turnaround, Kerbing and Drainage	450,000	Construction work are ongoing, following engagement of the Whalers Road contractor under an approved waiver arrangement. Final project close-out is underway. Delays as to weather conditions have prevented the project from Completing as expected.
Public Conveniences Vandal Proof Upgrade	442,300	Procurement planning underway, with works to be coordinated outside of peak holiday periods. The audit of all public conveniences has now been completed. Vandal-proof materials have been identified, and the procurement process is underway. Installation works will commence once materials arrive, with upgrades being rolled out progressively across locations.

Project Description	Endorsed Budget ($)	Status
Kerb and Channel Replacements	289,000	Renewal work will be prioritised based on condition assessments and scheduled throughout the year as operational resources become available.
WIP - Civic Centre Solar System Expansion	260,000	Procurement have been completed, and associated electrical equipment has been ordered, because of escalated time frames for electrical main switchboard manufacturing time frames, the estimated completion will be in Late January.
Footpath Replacement Program	232,000	The annual footpath replacement program will be scheduled around new footpath construction projects and prioritised based on condition assessments.
Footpath - Nicolaus Baudin Drive (Tabernacle Road to Bartel Boulevard)	223,000	Survey in complete and boundary investigations are underway to confirm the preferred alignment. Grant funding has been applied to cover the $100,000 budget reduction endorsed by Council at the August Council meeting. Construction will be scheduled for late in the financial year to allow for the outcome of the grant application.
Community Garden and Nursery	210,000	Final stages of design and consultation including Council briefing were undertaken in the first quarter.
Encounter Bay Netball Court Resurfacing	205,000	Subject to grant funding. Previous funding applications were unsuccessful and further grant opportunities are being pursued.
Causeway Complex Building Works	194,000	Scope development and procurement planning underway.
Guard Rail Replacement Program	180,000	Procurement underway with works expected during the second half of the financial year.
Town Hall and Cinema AV and Lighting Upgrade	173,000	Project currently in planning and procurement phase.
Inlet Program Construction	148,000	Some work undertaken in Imperial Court and at Encounter Lakes. Remaining work is scheduled for the second half of the financial year, including priority drainage improvements.
Inman River Coastal Levee Flood Mitigation Design	124,000	Grant application submitted with design activities planned pending funding outcomes.

Project Description	Endorsed Budget ($)	Status
Day Road and Colebatch Road Design	120,500	Request for quotation documentation currently being reviewed prior to release.

A Gantt chart for the scheduling of Capital Projects for the remainder of 2026/27 has been provided to Council Members as supporting documentation separate to the agenda.

Completed Projects

The following projects reached practical completion during the reporting period, and projects that were delivered under the endorsed budget are noted as such. As part of the September budget review any savings will be reallocated to offset other projects, subject to Council approval:

- Coral Street Art Space Fire Safety Upgrade
- Recreation Centre Seating Replacement
- Town Hall Stage Replacement
- WIP - Truck - Mitsubishi Fuso
- WIP - Coastal Seawall.

Deferred Projects

Council Members have endorsed that the following projects have been deferred for consideration in the 2027/28 capital budget:

- Hayward Court Beach Access
- Depot Transportable Roof Replacement
- Recreation Centre Installation of Security System
- Reserve Development - The Bluff Trails, shelters, access, car parks etc (Construction).

RISK ASSESSMENT

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

Financial Management - Delivery of projects within one financial year must be planned and project managed to ensure that critical paths are identified, and actions taken as required to ensure that the work is delivered as planned within the resourcing and budget available. This report allows for Council Members to be updated on key capital projects in line with quarterly budget reviews to ensure work is progressing as required to deliver the projects within the

financial year and reduce the likelihood of unplanned Work in Progress (WIP) extending into the 2026/27 budget. 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

- Objective 5.2 Plan and provide for a range of community facilities to meet current and future needs

Other references used:

City of Victor Harbor 2026/27 Annual Business Plan and Budget

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in receipting and noting this Capital Project - First Quarter 2026/27 report.

No additional funds are required.

CONSULTATION

Interim Chief Executive Officer - Graham Pathuis

Director Corporate and Customer Service - Karen Rokicinski

Acting Community and Development - Jodi Roberts

Manager Financial Services - Sharon Francis

Manager Operations - Michael Ross

Manager Open Space and Environment - Mark Short

Manager Business Systems - Karen Sajn

Project Coordinator - Chris Allinson

Project Coordinator - Gaurav Sawner

Project Officer - Louise Hampel

ATTACHMENTS

Nil

12.2. Nangawooka Flora Reserve Water Usage and Costs

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Mark Short

RECOMMENDATION

That Council receive and note the Nangawooka Flora Reserve Water Usage and Costs report; and note that any required increase to the operating budget will be included in the Mid-Year Budget Review (BR2).

PURPOSE

The purpose of this report is to provide Council Members with an overview of the current water budget for Council reserves and the operational and financial factors affecting whether the budget is sufficient to maintain existing service levels, including at Nangawooka Flora Reserve.

BACKGROUND

At the Ordinary Council Meeting held on 28 September 2026, Council considered the following Motion Without Notice submitted by Cr Angela Schiller:

OC3342026

Moved: Cr Angela Schiller

Seconded: Cr Marilyn Henderson

1. *That administration investigates retaining 100% of Nangawooka Flora Reserves previous water allocation for this Spring and Summer and coming years.*

2. *That Administration bring back a report to the October 2026 Ordinary Council meeting, reporting its findings and financial implications.*

CARRIED UNANIMOUSLY

COMMENTARY

Council's 2026/27 water budget for reserves has been reduced from $204,000 to $193,700, compared with actual water expenditure of $239,743 in 2025/26. Within the current allocation, the budget for Category B reserves, which includes Nangawooka Flora Reserve, has decreased from $43,000 to $40,000.

The motion followed concerns regarding water availability at Nangawooka Flora Reserve and the potential impact of budget reductions on future irrigation. These concerns were

heightened after Council received a water account of approximately $3,700 for the reserve, which was significantly higher than its typical winter water costs. Initial investigations identified no visible evidence of a leak. However, the water supply was temporarily isolated as a precaution to assist in identifying any fault and to limit further unplanned expenditure.

The budget reduction and unusually high water account were communicated to Nangawooka volunteers to ensure they were aware of the factors affecting the reserve's water budget. Subsequent enquiries were received regarding the extent of any future reduction in water availability, prompting further consideration of the reserve's ongoing water budget and the financial implications of maintaining historical irrigation levels.

Council manages irrigation across more than 50 reserves and open space areas throughout the City of Victor Harbor, including Nangawooka Flora Reserve and two sporting ovals. Irrigation supports established vegetation and the maintenance of adopted service levels across these sites. Recent water leaks across Council assets have also highlighted the increasing risk associated with ageing irrigation infrastructure, which can result in unplanned water consumption, increased maintenance requirements and additional pressure on operating budgets.

Administration has considered Nangawooka Flora Reserve's water budget within the broader context of Council's reserve and open space network. This approach recognises the need to manage available resources consistently and equitably and to avoid prioritising one reserve without considering the potential effect on service levels across other Council sites. Accordingly, the report considers the implications of retaining Nangawooka Flora Reserve's historical water budget alongside the water requirements, service levels and financial pressures applying across the broader network.

The approximately $3,700 water account recently received for Nangawooka Flora Reserve demonstrates the potential for unexpected water consumption to place additional pressure on the adopted budget. Although no visible evidence of a leak was identified during the initial investigation, the incident also highlights the operational and financial risks associated with ageing irrigation infrastructure.

Forecast dry conditions across spring, summer and autumn may place further pressure on water demand if Council reserves are to be maintained at existing service levels. When considered alongside the reduced budget, prior year expenditure, current consumption trends, increasing water costs and infrastructure failures, there is a heightened risk that the current allocations will be insufficient to meet forecast irrigation requirements.

While the Motion Without Notice specifically relates to Nangawooka Flora Reserve, Administration has considered its historical water budget within the broader context of Council's reserve and open space network. The water budget supports reserves, sporting grounds, cemeteries and other open space assets that are managed in accordance with adopted service levels. Increasing or protecting the allocation for one reserve in isolation, without considering the needs of other sites, would not support a consistent and equitable approach to service delivery.

Administration has determined that retaining Nangawooka Flora Reserve's historical water budget is achievable as part of maintaining existing service levels across the broader network. However, the adopted 2026/27 budgets are unlikely to be sufficient to maintain

those service levels. Without additional funding, Council may be required to reduce irrigation across reserves, sporting grounds, cemeteries and other open space assets. Administration will continue to monitor water usage and weather forecasts to determine any further impacts to water usage that might trigger a request for addition funding and any increases required will be included in the mid-year budget review for Council consideration.

RISK ASSESSMENT

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

Service Delivery - Insufficient irrigation may contribute to the deterioration or loss of established vegetation, reduce reserve presentation and service levels, and increase replacement or remediation costs. Water expenditure exceeding the adopted budget may also create further financial pressure. Ageing irrigation infrastructure presents an additional risk of undetected leaks and unplanned water use. This risk is assessed as ***medium.***

REFERENCES

City of Victor Harbor Community Plan 2030

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

- Objective 1.3 - Provide a variety of open space and recreation opportunities.

Aspiration 4 - We protect and restore our environment.

- Objective 4.1 - Adapt to the impacts of climate change.
- Objective 4.3 - Enhance the health and biodiversity of the natural environment through protection and active restoration.

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

- Objective 6.1 - Make financially sustainable decisions that reflect community priorities and provide value for money.

Other references used:

City of Victor Harbor 2026/27 Annual Business Plan and Budget

BUDGET IMPLICATIONS

There are insufficient funds in Projects #100045 (*Parks and Gardens*) for the purpose of maintaining existing service levels to accommodate the forecast water expenditure.

No budget offset has been identified and any increases required will be included in the mid-year budget review for Council consideration.

CONSULTATION

Acting Director Environment and Infrastructure - Jacob Griffin-Bloy

Senior Team Leader Open Space - Scott Pearsons

ATTACHMENTS

Nil

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

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Michelle Griffiths

RECOMMENDATION

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.

PURPOSE

The purpose of this report is to seek Council endorsement to commence the statutory process for the closure of a portion of unmade road reserve located between Allotment 500 in CT 6261/446, Allotment 103 in CT 5944/764 and Allotment 100 in CT 5944/762 to facilitate the sale of the land to the adjoining owner of 74 Walford Road, Back Valley.

BACKGROUND

A request has been received from the owner of 74 Walford Road, Back Valley, for the purchase of a portion of the unmade road reserve that separates three parcels of land owned by the applicant.

The subject land measures approximately 700 metres in length and averages 20 metres wide. The exact measurements to be determined through the survey of the land. A map of the three land parcels owned by the applicant and the portion of unmade road proposed for purchase is shown below at Figure 1.

The Applicants proposal for the realignment of the property boundaries is provided at Attachment 1. The unmade road is currently used for grazing will remain so, the already fenced off area in the gully will remain as native bushland/scrub.

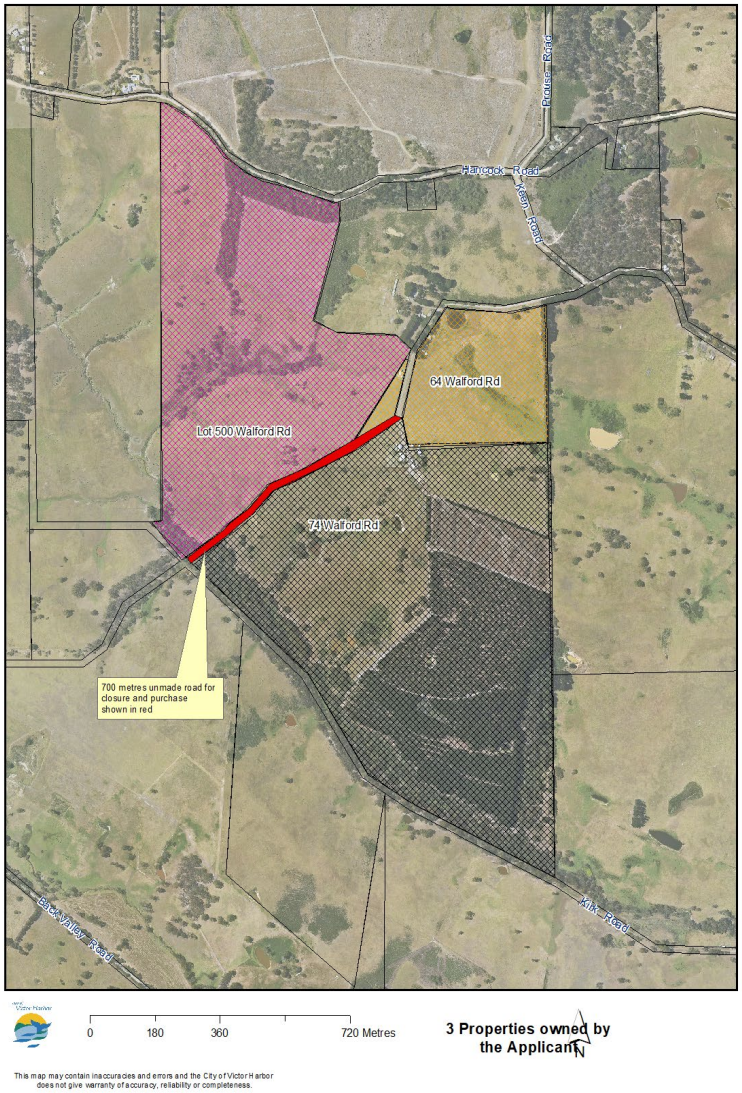


Figure 1 - Proposed unmade road for closure and purchase shown in red

COMMENTARY

The subject road reserve has been assessed and deemed surplus to Council's operational requirements for use as a road.

A biodiversity site inspection was undertaken at the Walford unmade road reserve to assess the native vegetation, fauna observations, and overall condition of the reserve. The inspection found a section of the site contained a range of native species typical of the local area, with no notable or rare species identified. The majority of the unmade road land is used for grazing.

Council's Environment and Sustainability Team was satisfied that the owner has demonstrated a commitment to the management and preservation of the existing vegetation and acknowledges the requirement to consult the Native Vegetation Council should any future vegetation removal be proposed. The Applicant confirmed their intention to continue protecting the area. Based on these discussions, staff considers that appropriate due diligence has been undertaken, no further action is required from an open space or

biodiversity perspective, and the matter represents a positive outcome for the protection of the site's environmental values.

Under Council's Disposal of Land and Other Assets Policy Clause 6.3.7.5, Council may dispose of land to an adjoining property owner or others with a pre-existing interest in the land by negotiation. There is no identified native vegetation of conservation significance that would require conditions to be attached to the road closure or prevent the closure from proceeding. An independent certified land valuation will be obtained to enable the Chief Executive Officer to negotiate the terms of the proposed sale of the land.

Regardless of the outcome of the process, the applicant will remain responsible for all costs related to the process including:

- Survey and Land Titles fees; and
- Cost for the Independent Certified land valuation, with the report to be made available to Council.

Process

The process to close a road is determined through legislation under the Roads (Opening and Closing) Act 1991. This process is listed below:

- Assessment by Council staff to determine if the land is appropriate for disposal.
- First report to Council seeking a resolution to commence the road closure process.
- Preparation an identification survey and preliminary plan and to obtain an independent certified land valuation.
- Lodgement of the preliminary plan and supporting documentation with the Office of the Surveyor-General for assessment under the Roads (Opening and Closing) Act 1991.
- Public notification, including publication in the Government Gazette, and consultation with affected parties and service authorities.
- Second report to Council - to consider of any feedback received from the public notice and acceptance of the terms for disposal of the land.
- Referral to the Surveyor-General for review and recommendation.
- Confirmation of the Road Process Order by the Registrar-General.
- Third report to Council to resolve to close the road. The Mayor and Chief Executive Officer sign and seal the Road Process Order document.
- Registration of the closed road land and issue/merger of title where applicable.

Importantly, commencement of the road closure process does not oblige Council to complete either the closure of the road reserve or the sale of the land. Council retains discretion at subsequent decision points and may determine not to proceed at any stage of the process.

Subject to Council resolving according to the recommendation, the next report will provide Council with the surveyed land area, land valuation information, feedback from the public notice period and the proposed sale terms to enable a further informed decision on whether the proposal should progress.

RISK ASSESSMENT

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

Legal and Compliance -The risk of commencing the proposed road closure process and sale is mitigated through the procedural layout of the *Roads (Opening and Closing) Act 1991* which includes public notice, consultation with other service providers and the Lands Services Office. A further report will be submitted to Council to consider the proposal before formalising the closure of the road. This risk is assessed as ***low.***

Environment - There has been no protected or vulnerable vegetation species identified on the subject land for disposal. This risk is assessed as ***low.***

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 3 - We manage growth and change responsibly

- Objective 3.4 Plan for sustainable development, residential amenity and security of prime agricultural land

Other references used:

Roads (Opening and Closing) Act 1991

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in endorsing the commencement (only) of the closing of the unmade road reserve through the *Roads (opening and Closing) Act 1991.*

No additional funds are required.

CONSULTATION

Director Environment and Infrastructure - Jodi Roberts

Manager City Infrastructure - Jacob Griffin-Bloy

Acting Manager Development and Public Safety - Scott Champion

Team Leader Property and Assets - Chris Bowey

Team Leader Environment and Sustainability - Bronson Symmonds

ATTACHMENTS

Attachment 1 - Proposal to Close Unmade Road

Attachment 1 - Proposal to Close Unmade Road

From: [redacted]
Sent: Wednesday, 26 August 2026 1:30 PM
To: Michelle Griffiths <mgriffiths@victor.sa.gov.au>
Subject: Re: Potential Council Road purchases

Good afternoon Michelle

It was a pleasure to meet the 3 Council staff who walked the unmade road with me and then they surveyed the valley flora, etc.

I wouldn't alter anything of the Council land reserve; that which is pasture would remain so, and that land in the gully that I've fenced off already, would remain natural bushland/scrub. The land reserve would in part be absorbed into 74 Walford and also part to Lot 500 Hancock.

I propose to have the boundary between these two blocks repositioned on my fence-line that runs roughly east-west just north of my shed at the turntable. Historically, this was the boundary until I used one of my Titles on 74 Walford (that bordered the north of the road reserve) to acquire adjacent land from [redacted] on 2 occasions) that eventually has been called Lot 500.

[redacted](Anderson and Assoc) has performed all the survey work since 1996 and can provide details as required, including shifting this road reserve off my shed after we purchased the property (?1997-8), as unbeknownst to us the vendor had built on the road reserve decades prior!

Please be in touch should further information be required.

Kind regards,[redacted]

From[redacted]
Sent: Sunday, 9 August 2026 1:25 PM
To: City of Victor Harbor <localgov@victor.sa.gov.au>
Subject: Potential Council Road purchases

Dear Sir/Madam

The reason to write today is to ask if Council would consider selling this "paper" road (2.71 ha) to me?

I have previously been successful in purchasing Council's paper road that travelled across the property tangentially, when I redrew the boundaries of the properties currently known as 1465 and 1475 Inman Valley Road.

Your advice on this matter would be greatly appreciated , as I am aware the process is long and tortuous and not guaranteed to be successful.

Lastly, could you please also evaluate the sale to me of the segment of Walford Road, Back Valley that travels between Lot 500, Hancock Rd and 74 Walford Rd; being 2 parcels of land I own. This paper road runs from the segment of Walford Rd not far passed 64 Walford Rd, and meets Kirk Rd deep in the valley across a "winter" creek. I strongly suspect a useable road will never be built here. Your advice on applying to purchase this Council land would also be greatly appreciated.

Kind regards

[redacted]

[redacted]

12.4. Encounter Community Centre Lease

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Michelle Griffiths

RECOMMENDATION

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.

PURPOSE

The purpose of this report is to seek Council approval to execute the Deed of Assignment relating to the Encounter Community Centre premises at 42 Armstrong Road, Victor Harbor, and to authorise the affixing of Council's Common Seal. The assignment will transfer the lessee's interest from Encounter Centre Incorporated to City of Victor Harbor.

BACKGROUND

At a Special Council Meeting held on 6 May 2026, Council resolved the following:

SC242026

Moved: Cr Carol Scofield

Seconded: Cr Nick McKenzie

1. *That Council approve and implement the proposal to assume operational management of the Encounter Community Centre as detailed in this report for a three-year trial period, subject to:*

    a. *receipt of written confirmation from the State Government that the lease for the building can be transferred to Council for the same (and ongoing) peppercorn consideration; and*

    b. *successful transfer of the NDIS service provided at the Centre to a third-party provider on a room hire basis; and*

    c. *with the exception of the Encounter Community Centre bus fleet, the transfer to Council of all physical assets and chattels contained in the building and on the site, and as required for ongoing service functionality; and*

    d. *any liabilities currently held by the Encounter Community Centre Incorporated Board, including borrowings, loans, creditor debts or NDIS related obligations, remain in full the responsibility of the Board.*

2. *to provide an operational pre-budget commitment of $70,000 in the 2026/27 budget to support the transition of operational management of the Encounter Community Centre to the City of Victor Harbor for a three-year trial period commencing on 1 July 2026.*

3. *That Council authorises the Chief Executive Officer to prepare and implement the transition of operational management of the Encounter Community Centre to Council, including the preparation of a Communications Plan and determination of any minor amendments to transitional arrangements, provided such amendments reflected the intent of the report and Council's resolutions.*

CARRIED UNANIMOUSLY

COMMENTARY

Following Council's resolution, discussions were undertaken with the Minister for Health and Wellbeing, as landowner, and Encounter Centre Incorporated regarding the transfer of the lease and associated assets to the City of Victor Harbor. These discussions concluded with Minister providing support to Council to commence operation of the Encounter Community Centre as from 1 July 2026. The parties agreed to enter into a Deed of Assignment of the Lease to formalise this arrangement.

The Deed provides for the assignment of the existing lease from Encounter Centre Incorporated to the City of Victor Harbor, the transfer of the building and associated improvements to Council, and the continuation of the existing peppercorn lease arrangements for the balance of the lease term.

In the interim, while the Deed of Assignment of Lease was awaiting execution by the Minister for Health and Wellbeing, a Memorandum of Understanding (MOU) was entered into between Encounter Centre Incorporated, the City of Victor Harbor and Livit Disability Support. The MOU established interim management arrangements for the Encounter Community Centre and formalised the agreed room hire arrangements for Livit Disability Support, which assumed responsibility for delivery of NDIS services previously provided from the Centre, pending completion of the lease assignment process.

The Deed has now been executed by the Minister for Health and Wellbeing, thereby enabling Council to give effect to its previous resolution to assume operational management of the Encounter Community Centre and formalise Council's leasehold interest in the site.

Financial Implications

The lease rent remains nominal at $1.10 per annum if demanded. Council will assume responsibility for all lessee obligations under the lease, including maintenance, utility costs, operational expenses and compliance obligations associated with occupation of the site and for the retail shop located at 8-16 Ocean Street, Victor Harbor.

Execution of the Deed will formalise the arrangements previously endorsed by Council and provide legal certainty regarding Council's occupation, management and operation of the Encounter Centre site. Approval is therefore sought for Council to execute the Deed and authorise the affixing of the Common Seal in accordance with section 38 of the Local Government Act 1999 (SA).

RISK ASSESSMENT

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

Legal and Compliance - The execution of the Deed will provide certainty regarding Council's legal interest in the site and formalise Council's role as lessee of the Encounter Community Centre. Council has previously endorsed assuming management of the facility, and the proposed assignment is consistent with that decision. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

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

- Objective 1.1 Deliver community programs that facilitate social interaction and connection with community
- Objective 1.4 Improve the health and well-being of our community

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in approving the execution of the Deed of Assignment.

No additional funds are required.

CONSULTATION

Interim Chief Executive Officer - Graham Pathuis

Acting Director Community and Development - Jodi Roberts

Manager Community Wellbeing - Leann Symonds

ATTACHMENTS

Nil

13. MINUTES OF COUNCIL COMMITTEE MEETINGS

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

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Chelsie Butler

Council Member Representatives: Cr Angela Schiller, Cr Marilyn Henderson

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RECOMMENDATION

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.

PURPOSE

The purpose of this report is to present the minutes of the Disability Access and Inclusion Advisory Committee meeting held on Thursday, 1 October 2026, and for Council to consider a recommendation of the Committee.

SUMMARY OF MEETING

A meeting of the Disability Access and Inclusion Advisory Committee was held on Thursday, 1 October 2026. A copy of the minutes of the meeting are provided at Attachment 1.

Items with specific recommendations to Council are provided below:

Motion Without Notice - Main Street Access and Inclusion

The Disability Access and Inclusion Advisory Committee discussed accessibility and inclusion within the Main Street precinct, noting that while Council has a role in advocacy, education and awareness raising, responsibility for accessibility within privately owned commercial premises largely rests with individual business and property owners.

The Committee recognised that improving accessibility extends beyond physical access and includes fostering greater understanding of disability, inclusive customer service practices and awareness among business owners and operators. The Committee also identified an opportunity to investigate collaboration with a university student, such as an occupational therapy student, to assist in researching and developing potential initiatives to improve

accessibility and inclusion within the Main Street precinct. Accordingly, the Committee resolved to recommend that Council request Administration investigate opportunities in this regard and report back on potential options.

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.***

Legal and Compliance - Should Council endorse the recommendation, there is a risk that community expectations regarding Council's ability to deliver accessibility improvements within privately owned commercial premises may exceed Council's legislative authority and influence. This risk is assessed as ***low.***

Reputation - Failure to investigate opportunities to improve accessibility and inclusion within the Main Street precinct may result in missed opportunities to support equitable access and participation for people living with disability. 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 IMPLICATIONS

There are no budget implications associated with the recommendation at this stage, as it seeks only for Administration to investigate opportunities to improve accessibility and inclusion within the Main Street precinct and explore potential university student involvement.

Should the investigation identify initiatives requiring funding, external partnerships or additional resources, any associated budget implications would be reported to Council for consideration as part of a future report.

No additional funds are required.

CONSULTATION

Disability Access and Inclusion Advisory Committee at meeting held 1 October 2026

ATTACHMENTS

Attachment 1 - Disability Access and Inclusion Advisory Committee Minutes - 1 October 2026

Attachment 1 - Disability Access and Inclusion Advisory Committee Minutes - 1 October 2026

City of Victor Harbor

MINUTES

Committee: Disability Access and Inclusion Advisory Committee

Meeting Held: Thursday, 1 October 2026 at 2pm

Location: Council Chambers, 1 Bay Road, Victor Harbor

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1. PRESENT

Cr Angela Schiller (Chair)
Cr Marilyn Henderson
Judith Leak
Joanne Russell
Kerry Taylor
Justine De Luca

In Attendance:
Acting Director Environment and Infrastructure – Jacob Griffin-Bloy
Manager Community Wellbeing - Leann Symonds
Manager Open Space and Environment – Mark Short
Manager Operations – Michael Ross
Acting Manager City Infrastructure – Scott Champion
Governance Officer - Chelsie Butler

2. ACKNOWLEDGEMENT OF COUNTRY AND DIVERSITY COMMITMENT

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.

3. APOLOGIES

Julie Walter – Mission Australia

City of Victor Harbor

4. CONFIRMATION OF MEETING

4.1. Minutes of Previous Meeting - 4 June 2026

DAIAC172026

Moved: Joanne Russell

Seconded: Cr Marilyn Henderson

That the minutes of the Disability Access and Inclusion Advisory Committee meeting held on Thursday, 4 June 2026 be confirmed as true and accurate.

CARRIED

5. PRESENTATIONS

Nil

6. REPORTS

6.1. Outstanding Resolutions - October 2026

DAIAC182026

Moved: Cr Marilyn Henderson

Seconded: Justine De Luca

That the Disability Access and Inclusion Advisory Committee receive and note the Outstanding Resolutions - October 2026 report.

CARRIED

6.2. 2026/27 Annual Progress Report on DDA Toilet Audit and Capital Project Summary

DAIAC192026

Moved: Judith Leak

Seconded: Justine De Luca

That the Disability Access and Inclusion Advisory Committee receive and note the 2026/27 Annual Progress Report on Disability Discrimination Act Toilet Audit and Capital Project Summary report.

CARRIED

6.3. Community Garden and Nursery Update

DAIAC202026

Moved: Justine De Luca

Seconded: Joanne Russell

That the Disability Access and Inclusion Advisory Committee receive and note the Community Garden and Nursery Update report.

CARRIED

7. OTHER BUSINESS

7.1 Motion Without Notice – Main Street Access and Inclusion

DAIAC212026

Move: Justine De Luca

Second: Judith Leak

That the Disability Access and Inclusion Advisory Committee recommend to Council:

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

7.2 Motion Without Notice – Committee Meeting Schedule

DAIAC222026

Move: Justine De Luca

Second: Joanne Russell

That the Committee cancel its meeting scheduled for 3 December 2026, having regard to International Day of People with Disability and Committee member availability, and schedule its next meeting for Thursday, 4 February 2027.

CARRIED

8. CONFIDENTIAL REPORTS

Nil

9. NEXT MEETING

Thursday, 4 February 2027 at 2:00pm.

10. CLOSURE

The Presiding Member closed the meeting at 3:05pm

14. SUBSIDIARIES AND REPRESENTATIVE REPORTS

14.1. Fleurieu Regional Waste Authority 2025/26 Annual Report

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Rhiannon Scheltus

RECOMMENDATION

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

PURPOSE

The purpose of this report is for the Council to receive and note the Fleurieu Regional Waste Authority's 2025/26 Annual Report.

BACKGROUND

The Fleurieu Regional Waste Authority (FRWA) is required to provide an Annual Report to its member councils in accordance with Clause 12.2 of Schedule 2 of the *Local Government Act 1999* (the Act):

12-Reporting

1. A subsidiary must, at the request of the council, report to the council on any matter, and on any basis, specified by the council.

2. A subsidiary must, on or before a day determined by the council, furnish to the council a report on the work and operations of the subsidiary for the preceding financial year.

Additionally, in accordance Clause 7.7.1 of the Fleurieu Regional Waste Authority Charter:

7.7. Reporting

7.7.1. The Authority must submit to the Constituent Councils by 30 September in each year in respect of the immediately preceding Financial Year, a report on the work and operations of the Authority detailing achievement of the aims and objectives of the Business Plan and incorporating the audited Financial Statements of the Authority and any other information or reports required by the Constituent Councils.

The Fleurieu Regional Waste Authority Board, at its meeting held 23 September 2026, approved the FRWA Annual Report 2025/26 for distribution to, and endorsement by, constituent Councils.

COMMENTARY

FRWA Chief Executive Officer, Simon Grenfell, provided a copy of the Annual Report with supporting commentary, a copy is provided under separate cover due to size.

This year, following consultation with member Councils, industry experts and government priorities, we approved the new FRWA Strategic Plan 2026-2036. The plan reinforces our focus on circular economy, financial sustainability and regional collaboration, guiding FRWA as the industry and community expectations evolve.

FRWA advanced circular economy outcomes by procuring a Flip Screen to improve recovery value from waste soil and mulch, and by transitioning the renewal of Exceptional Circumstances (EC) bins to FRWA from the City of Victor Harbor and Alexandrina Council.

Other achievements included:

- Four new side-lift trucks with 'Love where we live' image wraps.
- A replacement site tipper truck and new roll-on/roll-off bins for mainland depots.
- Removal of Hartley and Bald Hills bin banks to improve collection services and reduce litter.
- Remodelled and repositioned Goolwa front entrance gates.

This was achieved despite a significant battery fire at the Goolwa Waste and Recycling Depot that reduced the capacity of the waste transfer shed by over half.

RISK ASSESSMENT

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

Legal and Compliance - The 2025/26 Annual Report has been provided to Council in line with the Authority's Charter and will allow Council to meet its legislative requirements for provision of the Annual Report to the Minister. This risk is assessed as ***low***.

REFERENCES

City of Victor Harbor Community Plan 2030

Aspiration 4 - We protect and restore our environment

- Objective 4.2 Provide for sustainable waste management

Other references used:

Local Government Act 1999

- Part 4, Section 131 - Annual Report to the prepared and adopted

- Schedule 2, Clause 12 - Reporting

Fleurieu Regional Waste Authority Regional Subsidiary Charter 2021

- Part 2, Section 7.7 - Reporting - Clause 7.7.1

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in Council receiving and noting the Fleurieu Regional Waste Authority 2025/26 Annual Report.

No additional funds are required.

CONSULTATION

Director Environment and Infrastructure - Jodi Roberts

Fleurieu Regional Waste Authority - Simon Grenfell (Chief Executive Officer)

ATTACHMENTS

Attachment Under Separate Cover - Fleurieu Regional Waste Authority 2025/26 Annual Report

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

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Karen Rokicinski

RECOMMENDATION

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

PURPOSE

The purpose of this report is to present the Victor Harbor Horse Tram Authority (VHHTA) 2025/26 Annual Report, including the audited Annual Financial Statements to Council, in line with the Authority's Charter and for inclusion in the Council's Annual Report.

BACKGROUND

The Authority is required, in accordance with Clause 12 of Schedule 2 of the *Local Government Act 1999* and the Victor Harbor Horse Tram Authority Charter, to provide its Annual Report to Council by 30 September each year.

The 2025/26 Annual Report and audited Financial Statements were considered by the Authority's Audit Committee and subsequently endorsed by the Authority Board on 23 September 2026.

COMMENTARY

The 2025/26 Annual Report and audited Financial Statements were considered by the Victor Harbor Horse Tram Authority Audit Committee on 23 September 2026. The external audit was completed with no uncorrected misstatements remaining, and the auditor advised its intention to issue an unmodified audit opinion.

Following consideration by the Victor harbor Horse Tram Audit Committee, the Annual Report and Financial Statements were approved by the Authority Board on 23 September 2026. The Board authorised the General Manager to provide the final Annual Report to the City of Victor Harbor in accordance with the Authority's reporting requirements.

At the Victor Harbor Horse Tram Authority Board meeting, the Board resolved the following:

VHHTA624

Moved: Natasha Hunt

Seconded: Nigel Graves

1. That the Victor Harbor Horse Tram Authority receive and note report

2. That the Victor Harbor Horse Tram Authority:

a) note the recommendation of the VHHTA Audit Committee regarding the 2025/26 Annual Financial Statements, Annual Report and associated audit documentation.

b) receive and note the Audit Clearance Letter from Galpins dated 16 September 2026 provided as Attachment A, including:

i. its intention to issue an unmodified audit opinion on the 2025/26 Annual Financial Statements;

ii. confirmation that there are no uncorrected misstatements; and

iii. confirmation that the auditor maintained its independence throughout the audit.

c) approve the Management Representation Letter to Galpins Accountants, provided as Attachment B, and authorise the Chairperson to sign the letter on behalf of the authority.

d) approve the 2025/26 Annual Financial Statements, as provided under separate cover, and authorise the Chairperson and General Manager to sign the Certification of Financial Statements.

e) approve the 2025/26 Annual Report, as provided under separate cover, including the final audited 2025/26 Annual Financial Statements.

f) authorise the General Manager to make any minor administrative or formatting amendments required to finalise the 2025/26 Annual Report, provided these do

not materially alter the content approved by the Board.

g) authorise the General Manager to provide the final 2025/26 Annual Report to the City of Victor Harbor in accordance with the Authority's reporting requirements.

CARRIED

The Authority General Manager has provided a memo to Council which is provided as Attachment 1, along with the finalised 2025/26 Annual Report which is provided under separate over due to size.

Presentation of the Annual Report to Council will enable the document to be included in Council's Annual Report for provision to the Minister and the Presiding Member of the South Australian Local Government Grants Commission, as required by legislation.

The Authority recorded an operating surplus of $44,000 for 2025/26, noting that the 2025/26 result included an additional Council contribution of $170,000 which was equivalent to the previous year's deficit, to assist the Authority to recover from the financial impacts experienced in 2024/25 and strengthen its financial position.

The improved result reflects a combination of Council support, continued cost management and improved operational performance throughout the year. The Authority has also continued to develop alternative revenue opportunities to reduce its reliance on traditional tram ticket revenue. These include the Stables and behind-the-scenes experiences, corporate leadership packages, sponsorships and venue hire.

Overall, the 2025/26 result reflects a more stable operating and financial position for the Authority entering 2026/27. The Authority continues to focus on strengthening its financial sustainability and operational resilience, including diversifying revenue streams to assist in mitigating the financial impacts of future unexpected operational disruptions.

RISK ASSESSMENT

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

Legal and Compliance -The Victor Harbor Horse Tram Authority 2025/26 Annual Report has been provided to Council in line with the Authority's Charter and will allow Council to meet its legislative requirements for provision of the Annual Report to the Minister. 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 131 - Annual Report to be prepared and adopted
- Schedule 2 Clause 12 - Reporting

Local Government (Financial Management) Regulations 2011

- Regulation 16 - Provision of Information
- Victor Harbor Horse Tram Authority Charter

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in receiving the Victor Harbor Horse Tram Authority Annual Report 2025/26 and Audited Financial Statements for inclusion in Council's Annual Report.

No additional funds are required.

CONSULTATION

Interim Chief Executive Officer - Graham Pathuis

Victor Harbor Horse Tram Authority - Megan Whibley (General Manager)

ATTACHMENTS

Attachment 1 - Memo to CEO - Victor Harbor Horse Tram Authority 2025/26 Annual Report

Attachment Under Separate Cover - Victor Harbor Horse Tram Authority 2025/26 Annual Report and Financial Statements

Attachment 1 - Memo to CEO - Victor Harbor Horse Tram Authority 2025/26 Annual Report

Memo to: Mr Graham Pathuis, Acting Chief Executive Officer, City of Victor Harbor

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

Subject: Annual Report 2025/26

Date: 29 September 2026

Dear Graham

The purpose of this memo is to provide the City of Victor Harbor with the Victor Harbor Horse Tram Authority's endorsed 2025/26 Annual Report and audited Financial Statements following consideration by the Authority's Audit Committee and Board.

Background

The 2025/26 Annual Report and audited Financial Statements were presented to the Victor Harbor Horse Tram Authority Audit Committee on 23 September 2026 for review.

The external audit of the 2025/26 Financial Statements has been completed, with the auditor advising no uncorrected misstatements remained following the audit process, with all identified adjustments incorporated into the final Financial Statements.

Following consideration by the Audit Committee, the Annual Report and audited Financial Statements were presented to the Victor Harbor Horse Tram Authority Board at its meeting held on 23 September 2026.

At that meeting, the Board resolved the following:

VHHTA624 ***Moved: Natasha Hunt***
Seconded: Nigel Graves

1. *That the Victor Harbor Horse Tram Authority receive and note report*
2. *That the Victor Harbor Horse Tram Authority:*

   a) note the recommendation of the VHHTA Audit Committee regarding the 2025/26 Annual Financial Statements, Annual Report and associated audit documentation.

   b) receive and note the Audit Clearance Letter from Galpins dated 16 September 2026 provided as Attachment A, including:

      i. its intention to issue an unmodified audit opinion on the 2025/26 Annual Financial Statements;

      ii. confirmation that there are no uncorrected misstatements; and

      iii. confirmation that the auditor maintained its independence throughout the audit.

   c) approve the Management Representation Letter to Galpins Accountants, provided as Attachment B, and authorise the Chairperson to sign the letter on behalf of the authority.

d) approve the 2025/26 Annual Financial Statements, as provided under separate cover, and authorise the Chairperson and General Manager to sign the Certification of Financial Statements.

e) approve the 2025/26 Annual Report, as provided under separate cover, including the final audited 2025/26 Annual Financial Statements.

f) authorise the General Manager to make any minor administrative or formatting amendments required to finalise the 2025/26 Annual Report, provided these do not materially alter the content approved by the Board.

g) authorise the General Manager to provide the final 2025/26 Annual Report to the City of Victor Harbor in accordance with the Authority's reporting requirements.

CARRIED

Commentary

The Authority concluded the 2025/26 financial year in an improved financial position compared with the previous year.

The improved result reflects a combination of Council support, continued cost management and improved operational performance throughout the year.

The 2025/26 result also represents a significant improvement from the previous financial year, when the Authority's operations and financial position were heavily impacted by external operational disruptions.

Throughout 2025/26 the Authority continued to focus on strengthening its financial sustainability while maintaining safe and reliable Horse Tram operations. Improved horse availability supported more consistent service delivery, while the Authority continued to develop alternative revenue opportunities through the Stables with Behind-the-Scenes experiences, corporate leadership packages, sponsorships and venue hire.

While operations continued to be affected by weather, horse illness and other operational factors, the overall result demonstrates a more stable operating and financial position entering 2026/27.

The 2025/26 Annual Report provides an overview of the Authority's activities and achievements during the year, including operational performance, horse welfare, visitor experiences, financial performance, governance and progress against the Authority's Business Plan.

In accordance with Clause 12 of Schedule 2 of the Local Government Act 1999 and the Victor Harbor Horse Tram Authority Charter, the Authority is required to provide an Annual Report to Council by 30 September each year.

The endorsed 2025/26 Annual Report and audited Financial Statements are therefore provided to the City of Victor Harbor for Council's consideration in accordance with these requirements.

Kind Regards

Meg Whibley

15. MATTERS OF URGENCY

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

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Hayley Vowles

RECOMMENDATION

(Mayor Moira Jenkins to propose her motion)

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.

PURPOSE

The purpose of this report is to provide for the consideration of a Motion submitted by Mayor Moira Jenkins pursuant to Regulation 9(1) of the *Local Government (Meeting Procedures) Regulations 2013* in relation to Franklin Parade Dog Off-Leash Trial.

A copy of Mayor Jenkins written submission and preamble is provided at Attachment 1.

COUNCIL MEMBER COMMENTARY

The Franklin Parade trial has demonstrated that there is genuine community interest in additional dog off-leash opportunities within the City of Victor Harbor. While environmental protection must remain paramount, the trial did not result in any formally recorded incidents and therefore cannot be reasonably characterised as a failure.

The community engagement results reveal differing views, but they do not establish a clear mandate either for or against continuation. Given the relatively small number of survey responses and the acknowledgement that some concerns relate to dog ownership generally rather than specifically to off-leash access, there remains merit in continuing to gather evidence before making a permanent decision.

As Elected members, our role is to carefully weigh competing views and evidence. While I acknowledge and respect the environmental concerns that have been raised, I also note that no incidents were recorded during the trial and that a number of residents experienced genuine benefits from the arrangement.

Importantly, a deputation was presented to Council by members of the off-leash user group who felt the positive outcomes of the trial had not been adequately recognised. At the time, I did not believe it was appropriate to move a Motion Without Notice on such a significant matter. However, no further action was subsequently taken by either the administration or Councillors to explore the concerns that were raised, or increase the trial period to gain more information. As a result, I am bringing this motion forward to ensure those views are properly considered and to allow Council the opportunity to make a decision based on additional evidence rather than concluding the trial at this point.

I believe a trial extension represents a balanced and reasonable approach that continues environmental protections while providing Council with a stronger evidence base for future decision-making.

An extension of the trial would enable Council to obtain additional data across a broader period while maintaining environmental safeguards and ensuring that future decisions are informed by practical experience, community feedback and environmental monitoring.

As Mayor, I believe we must continue to seek a balanced approach that respects our environmental responsibilities while also recognising the needs of residents who responsibly use and value this space. A trial extension would provide Council with the opportunity to make a more informed long-term decision based on further evidence rather than concluding the process prematurely.

OFFICER COMMENTARY

At its Ordinary Council Meeting held on 22 June 2026, Council considered the outcomes of the Encounter Bay Dog Off-Leash Trial, including community engagement feedback and environmental factors, and subsequently resolved the following:

OC2152026

Moved: Cr Michael Quinton

Seconded: Cr David Kemp

That Council:

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

2. *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*

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

CARRIED

At the Ordinary Council meeting held on Monday 28 July 2025, Council resolved that following the completion of an initial trial period, they would renew the trial for a further twelve month period. The extended trial period sought to assess the suitability of the site in balancing community use, public safety, and environmental protection. The second trial period concluded in July 2026 and Council subsequently made a determination that the site is not suitable for a permanent 24-hour dog off-leash area. The motion therefore represents a reconsideration of Council's adopted position which was reached following two trial periods at the site.

In making their determination, Council considered the available evidence arising from the trial, including community feedback, environmental factors and broader strategic objectives. Council also determined that future consideration of dog off-leash opportunities across the Council area should occur strategically through the Dog and Cat Management Plan process.

Should Council support an alternative outcome for the site, it would be prudent governance for Council to revoke its previous resolution that determined the location is not suitable for a permanent 24-hour dog off-leash area.

RISK ASSESSMENT

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

Legal and Compliance -There is a risk that Council's previously adopted position may become unclear if the existing resolution is not explicitly revoked or amended as part of any decision to progress a different outcome for the site. This risk is assessed as ***medium.***

Reputation -There is a risk of community concern or confusion arising from Council reconsidering a matter on which it has previously resolved, particularly given that there have already been two trials at the site, no new information for the Council to consider, and where stakeholders hold differing views regarding dog off-leash access at the Franklin Parade location. This risk is assessed as ***low.***

Environment - Council's previous decision was informed by environmental considerations associated with the Franklin Parade foreshore. Reconsideration of the site's suitability may give rise to concerns regarding the management of environmental impacts and protection of sensitive habitat areas. This risk is assessed as ***medium.***

REFERENCES

City of Victor Harbor Community Plan 2030

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

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in resolving in accordance with the Motion, as existing staffing resources would be redirected from finding an alternative site in line with the previous Council resolution, to undertaking further monitoring and analysis as part of a further trial period.

No additional funds are required.

CONSULTATION

Interim Chief Executive Officer - Graham Pathuis

Director Corporate and Customer Service - Karen Rokicinski

ATTACHMENTS

Attachment 1 - Motion on Notice - Franklin Parade Dog Off-Lease Trial Continuation - Mayor Moira Jenkins

Attachment 1 - Motion on Notice - Franklin Parade Dog Off-Lease Trial Continuation - Mayor Moira Jenkins

Outlook

Motion on notice for October Council Meeting

From Moira Jenkins <moira.jenkins@victor.sa.gov.au>
Date Tue 6/10/2026 2:40 PM
To Graham Pathuis [redacted] Katie Common [redacted]
Cc Council Members <CouncilMembers@victor.sa.gov.au>; [redacted]

I Have been contacted by the Dog Off Leash group following their deputation in August and am bringing this to your attention. Given it wasn't bought to council last month, I have formulated a Motion on Notice for this month.

My motion on Notice is: Recommendation: 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.

Rationale

The Franklin Parade trial has demonstrated that there is genuine community interest in additional dog off-leash opportunities within the City of Victor Harbor. While environmental protection must remain paramount, the trial did not result in any formally recorded incidents and therefore cannot be reasonably characterised as a failure.

The community engagement results reveal differing views, but they do not establish a clear mandate either for or against continuation. Given the relatively small number of survey responses and the acknowledgement that some concerns relate to dog ownership generally rather than specifically to off-leash access, there remains merit in continuing to gather evidence before making a permanent decision.

As Elected members, our role is to carefully weigh competing views and evidence. While I acknowledge and respect the environmental concerns that have been raised, I also note that no incidents were recorded during the trial and that a number of residents experienced genuine benefits from the arrangement.

Importantly, a deputation was presented to Council by members of the off-leash user group who felt the positive outcomes of the trial had not been adequately recognised. At the time, I did not believe it was appropriate to move a Motion Without Notice on such a significant matter. However, no further action was subsequently taken by either the administration or Councillors to explore the concerns that were raised, or increase the trial period to gain more information. As a result, I am bringing this motion forward to ensure those views are properly considered and to allow Council the opportunity to make a decision based on additional evidence rather than concluding the trial at this point.

I believe a trial extension represents a balanced and reasonable approach that continues environmental protections while providing Council with a stronger evidence base for future decision-making.

An extension of the trial would enable Council to obtain additional data across a broader period while maintaining environmental safeguards and ensuring that future decisions are informed by practical experience, community feedback and environmental monitoring.

As Mayor, I believe we must continue to seek a balanced approach that respects our environmental responsibilities while also recognising the needs of residents who responsibly use and value this space. A trial extension would provide Council with the opportunity to make a more informed long-term decision based on further evidence rather than concluding the process prematurely.

Moira

Moira.
Dr. Moira Jenkins | Mayor
City of Victor Harbor
1 Bay Road, Victor Harbor SA 5211
Phone: 0412 733 453
Email: moira.jenkins@victor.sa.gov.au
www.victor.sa.gov.au



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19. MOTIONS WITHOUT NOTICE

20. CONFIDENTIAL ITEMS

20.1. CONFIDENTIAL - CCTV and Security Audit

Committee: Ordinary Council Meeting

Meeting Date: 26 October 2026

Report Author: Kellie Knight-Stacey

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 (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.

3. 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.

21. CLOSURE

22. ATTACHMENTS UNDER SEPARATE COVER

Agenda Item 9.4 - Discretionary Rebate - The Salvation Army Australia

Agenda Item 10.1 - Victor Harbor Integrated Transport Strategy

Agenda Item 14.1 - Fleurieu Regional Waste Authority 2025/26 Annual Report

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