MINUTES

Committee: Ordinary Council

Meeting Held: Monday, 22 September 2025 at 5:30pm

Location: Council Chambers, 1 Bay Road, Victor Harbor

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1. PRESENT

Mayor Moira Jenkins (Chair)
Cr Angela Schiller
Cr Brayden Mann
Cr Stewart Burns
Cr Michael Quinton
Cr David Kemp
Cr Carol Schofield
Cr Nick McKenzie

In Attendance:
Chief Executive Officer - Ms Victoria MacKirdy
Director Environment and Infrastructure - Ms Jodi Roberts
Director Corporate and Customer Service - Ms Karen Rokicinski
Acting Director Community and Development - Ms Leann Symonds
Group Manager Governance and Finance - Ms Kellie Knight-Stacey
Communications Officer - Ms Emma Warren
Executive Assistant - Ms Chelsie Butler

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

Acknowledge of Country

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

Diversity Commitment

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

Service Acknowledgement

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

Prayer

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

3. APOLOGIES AND LEAVE OF ABSENCE

Cr Marilyn Henderson
Cr Carlos Quaremba

4. ITEMS ADJOURNED AND/OR LYING ON THE TABLE

Nil

5. MINUTES OF THE PREVIOUS MEETING

5.1. Minutes of the Previous Meeting - 25 August 2025

OC2472025

Moved: Cr Brayden Mann

Seconded: Cr Nick McKenzie

That the minutes of the Ordinary Council meeting held on Monday, 25 August 2025 be confirmed as true and accurate.

CARRIED

6. DEPUTATION

Nil

7. QUESTIONS FROM THE GALLERY

5:32pm Victor Harbor Watercourses Floodplain Mapping Study - Mr Peter Charles – Council Watch Victor Harbor

Question

What actions has Council taken to comply with the intent of the resolution passed on 23 November 2020 (Item 19.3 – Victor Harbor Watercourses Floodplain Mapping Study), particularly in relation to:

(a) notifying residents identified in the Southfront report as being at risk of inundation, and

(b) preparing a local flood emergency plan in collaboration with emergency services?

We would appreciate Council informing what has been done to carry out the intent of the resolution, so that the community can clearly understand the current position.

Response

The motions that you specifically refer to were moved by yourself when you were past Council Member but were withdrawn. But at the same meeting, however, even though that motion you're referring to was withdrawn, Council did resolve the inclusion of non-structural flood mitigation measures such as direct consultation, education programs for properties at risk, as identified in the Council's floodplain mapping study. I think that study is available on the website. If you wanted to have a look at it and if Council Watch was interested in seeing what we have done.

A number of actions have been taken as you'll be able to see in that there was a free community information session on the 30th of July 2024 in the Chambers between 5:00pm and 7:00pm for Fleurieu Peninsula residents that focused on preparing for storms and flood. We called it Get Storm Ready. The session included presentations from the SES, from the Bureau of Meteorology, SA Power Networks, and insurance representatives also.

Due to the risk of isolation during floods and storms Stock Road residents were contacted by a letter to inform them their property had been identified as a location that could become isolated. The letter invited residents to opt into a process to receive notifications during storm or rainfall events that could potentially require the need to close the Ford. Several residents responded that they'd like to receive these notifications, and a group has been created within the touch SMS system which allows us to text messages directly to the residents who nominated to receive messages.

The SES as the lead agency for flooding has also provided significant training to staff from Victor Harbor, Alexandrina and Yankalilla councils. This was training around the preparedness for storms and floods, which included SES call receipt and dispatch overview, safe working and storms, swift water awareness - what to do, what not to do, who to call, and information for emergency services.

8. PETITIONS

Nil

9. OFFICE OF CHIEF EXECUTIVE OFFICER

9.1. Outstanding Resolutions - September 2025

OC2482025

Moved: Cr Stewart Burns

Seconded: Cr David Kemp

That Council receive and note the Outstanding Resolutions - September 2025 report.

CARRIED

9.2. Council Rebate Application - Great Southern FM Community Broadcasters Association (Happy FM)

OC2492025

Moved: Cr Stewart Burns

Seconded: Cr Brayden Mann

That Council:

a. receive and note the Great Southern FM Community Broadcasters Associations (Happy FM) application; and

b. approve the discretionary 75% rebate application from the Great Southern FM Community Broadcasters Association pursuant to Section 166 (j) of the Local Government Act 1999 for the 2025/26 financial year; and

c. approve a budget increase of $2,000 to the operating budget for the purpose of providing the rebate.

CARRIED

9.3. Fleurieu Aquatic Centre Joint Venture - Quarterly Report

OC2502025

Moved: Cr David Kemp

Seconded: Cr Angela Schiller

That Council receive and note the Fleurieu Aquatic Centre Joint Venture quarterly report.

CARRIED

9.4. 2026 Citizen of the Year Awards

OC2512025

Moved: Cr Carol Schofield

Seconded: Cr Stewart Burns

That Council call for nominations for the City of Victor Harbor 2026 Citizen of the Year Awards, opening on 1 October 2025 and closing 16 November 2025, in the following four categories:

a. Citizen of the Year
b. Young Citizen of the Year
c. Community Event of the Year
d. Active Citizen of the Year.

CARRIED

5:47pm Mayor Moira Jenkins and Cr Stewart Burns nominated themselves for Council Member representatives on the 2026 Citizen of the Year Award Selection Panel.

OC2522025

Moved: Cr Angela Schiller

Seconded: Cr Carol Schofield

1. That Council establish a 2026 Citizen of the Year Award Selection Panel comprising two Council Members and up to three Community Representatives, to assess nominations received.

2. That Council appoints Mayor Moira Jenkins and Cr Stewart Burns as Council Member representatives on the 2026 Citizen of the Year Award Selection Panel.

CARRIED

OC2532025

Moved: Cr Nick McKenzie

Seconded: Cr Stewart Burns

That Council call for expressions of interest in order to fill the three Community Representative Positions on the 2026 Citizen of the Year Award Selection Panel and authorise the Chief Executive Officer to appoint the successful Community Members.

CARRIED

9.5. Local Government Association Preferential Voting

OC2542025

Moved: Cr Angela Schiller

Seconded: Cr Stewart Burns

That Council supports the adoption of preferential voting for the Local Government Association President and Local Government Association Board positions.

CARRIED

9.6. 2025 Local Government Finance Authority - Annual General Meeting

OC2552025

Moved: Cr David Kemp

Seconded: Cr Carol Schofield

That Council declines the invitation to submit a Notice of Motion to the Local Government Finance Authority Annual General Meeting.

CARRIED

10. COMMUNITY AND DEVELOPMENT

10.1. Encounter Bikeway - Yacht Club to Alexandrina Council Boundary

OC2562025

Moved: Cr Nick McKenzie

Seconded: Cr Michael Quinton

1. That Council approve the Encounter Bikeway's alignment between the Victor Harbor Yacht Club and the boundary with Alexandrina Council (as per Attachment 1).

2. That Council approve the reallocation of the construction budget of $246,000 in Project #300128 (Encounter Bikeway) to detailed design, documentation and specifications for the realignment of the Encounter Bikeway between the Victor Harbor Yacht Club to Alexandrina Council boundary.

CARRIED

10.2. Management Agreement - 2026 and 2027 Rock N Roll Festival

OC2572025

Moved: Cr Stewart Burns

Seconded: Cr Carol Schofield

1. That Council extend the management agreement with local business Fairy Pig Pty Ltd to administer the Victor Harbor Rock 'n' Roll Festival in partnership with the Historic Motor Vehicles Club for the 2026 and 2027 festivals.

2. That Council endorse funding of $23,000 in the 2026/27 financial year and $24,500 in the 2027/28 financial year to support the partnership and delivery of the event.

3. That Council grant delegation to the Chief Executive Officer to finalise and execute the terms of the management agreement, including authority to make minor changes.

CARRIED

10.3. Road and Public Place Naming Policy Review

OC2582025

Moved: Cr Carol Schofield

Seconded: Cr Stewart Burns

That Council adopt the reviewed Road and Public Place Naming Policy as provided at Attachment 1.

CARRIED

10.4. Urban Growth Management Strategy - Summary of Third Phase of Engagement and Final Adoption

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

11. CORPORATE AND CUSTOMER SERVICE

11.1. CEO Key Performance Indicators for 2025/26 Performance Review Period

OC2602025

Moved: Cr Carol Schofield

Seconded: Cr Michael Quinton

That Council approve the draft CEO Key Performance Indicators (KPIs) for the 2025/26 CEO performance review period, as provided at Attachment 1.

CARRIED

12. ENVIRONMENT AND INFRASTRUCTURE

12.1. 2025/26 Work in Progress - Carry Over Adjustment

OC2612025

Cr Brayden Mann

Seconded: Cr Carol Schofield

That Council approve an increase in the 2025/26 capital budget of $276,000 to accommodate projects that spanned across multiple years and where insufficient budget was carried over from 2024/25 financial year as part of the Works In Progress process.

CARRIED

12.2. Capital Projects Subject to Grant Funding - Budget Amendments

OC2622025

Moved: Cr Angela Schiller

Seconded: Cr Nick McKenzie

To partially offset insufficient grant funding and to allow for the completion of Project #300004 (*Coastal Seawall - Franklin Parade/Esplanade*) that Council endorse:

a. an increase (bring forward) $360,000 from the proposed 2026/27 Encounter Bikeway construction project into the 2025/26 capital budget for the Project #300004 (*Coastal Seawall - Franklin Parade/Esplanade*), and

b. a transfer of $205,000 from capital Project #300107 (*Stormwater - Crozier Road*) to capital Project #300004 (*Coastal Seawall - Franklin Parade/Esplanade*).

CARRIED

OC2632025

Moved: Cr Brayden Mann

Seconded: Cr Carol Schofield

For capital Project #300107 (Stormwater - Crozier Road), noting the $500,000 Stormwater Management Authority grant application was unsuccessful, that Council approve the continuation of the stormwater project at Crozier Road to complete detailed design and undertake preliminary works within the balance of the available 2025/26 capital budget ($320,000).

CARRIED

12.3. Public Litter Bin Audit

OC2642025

Moved: Cr Michael Quinton

Seconded: Cr Brayden Mann

That Council having considered the Public Litter Bin Audit Report approve the reduction of public litter bins at the following locations:

a. Grosvenor Gardens

b. Victor Harbor Cemetery

c. Jeffery Drive, Encounter Bay

d. Belmont Street, Encounter Bay

e. Bartel Boulevard, Encounter Bay

f. Pearsons Road, McCracken

g. Haywood Court, McCracken

h. Matthew Flinders Drive, Encounter Bay (near Allen Street)

i. Matthew Flinders Drive, Encounter Bay (near Victor Avenue)

j. Wattle Drive, Victor Harbor

k. Connell Reserve, Victor Harbor

CARRIED

12.4. Draft Recreational Boating Strategy - Public Consultation

OC2652025

Moved: Cr Michael Quinton

Seconded: Cr Carol Schofield

That the item be deferred to allow Administration to update the draft Boating Strategy to incorporate the suggested amendments outlined in the Council report, and that a revised draft be presented to the October Council meeting for consideration and endorsement for public consultation.

CARRIED

13. MINUTES OF COUNCIL COMMITTEE MEETINGS

13.1. Southern Communities Transport Advisory Committee - 20 August 2025

OC2662025

Moved: Cr Angela Schiller

Seconded: Cr Nick McKenzie

1. That Council receive and note the minutes of the Southern Communities Transport Advisory Committee meeting held on Wednesday, 20 August 2025.

2. That Council endorse the changes to the Southern Communities Transport Scheme Terms of Reference to include a representative from Junction Australia, in line with the Community Transport SA contract.

CARRIED

13.2. CEO Performance Review Committee Meeting Minutes - 27 August 2025

OC2672025

Moved: Cr Brayden Mann

Seconded: Cr Michael Quinton

That Council receive and note the minutes of the CEO Performance Review Committee meeting held on Wednesday, 27 August 2025.

CARRIED

14. SUBSIDIARIES AND REPRESENTATIVE REPORTS

Nil

15. MATTERS OF URGENCY

Nil

16. QUESTIONS ON NOTICE

Nil

17. QUESTIONS WITHOUT NOTICE

18. MOTIONS ON NOTICE

18.1. Motion on Notice - Meaningful Local Government Reforms - Cr Brayden Mann

OC2682025

Moved: Cr Brayden Mann

Seconded: Cr Stewart Burns

That Administration:

1. Write to all the Councils in South Australia requesting that they each:

    a. Write to the Minister for Local Government, Minister Joe Szakacs:

        i. urging him to commit to meaningful Local Government Reforms that will both encourage more people to nominate in Council elections and increase voter participation; and

        ii. asking whether he will take personal responsibility for the level of participation and the ultimate success or failure of the next Local Government Election, or if he will not, to advise the community who will.

    b. Write to their Local State MP and anyone nominating in the 2026 State Government Elections asking them whether they will commit to meaningful Local Government Reforms to increase participation with nominees and voters and then publish the responses received for the community.

2. Inform the Local Government Association of South Australia, Regional Development Australia SA and State and Local Media of the above advocacy and request their assistance in advocating to the State Government for meaningful Local Government Reform.

CARRIED

6:58pm

A division was called

The Mayor declared the vote to be set aside

FOR: Cr Brayden Mann, Cr Nick McKenzie, Cr Stewart Burns, Cr Michael Quinton, Cr Carol Schofield

AGAINST: Cr David Kemp, Cr Angela Schiller

THE MAYOR DECLARED THE VOTE CARRIED

18.2. Motion on Notice - Housing Our Health and Aged Care Workers - Cr Brayden Mann

OC2692025

Moved: Cr Brayden Mann

Seconded: Cr Michael Quinton

That Administration:

1. Engage with the developers of the new Retirement / Residential Villages in Victor Harbor that are currently being designed and/or constructed around their willingness to provide affordable housing within their developments for health and aged care workers; and

2. Investigate and report back on whether there are any planning mechanisms that Council could consider implementing to:

    a. Prevent more Retirement / Residential Villages from being constructed in Victor Harbor within the next 25 years (excluding the 4 recently announced Retirement Villages); or

    b. Require future Retirement / Residential Villages to provide affordable housing within their developments for health and aged care workers; or

    c. Require future Retirement / Residential Villages to contribute to a Future Fund with the monies to be used to assist in attracting and retaining health and aged care workers.

CARRIED

19. MOTIONS WITHOUT NOTICE

19.2 CONFIDENTIAL - Motion Without Notice - Investigate Strategic Land Purchase - Cr Brayden Mann

OC2702025

Moved: Cr Brayden Mann

Seconded: Cr Michael Quinton

Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public except, the Chief Executive Officer (Victoria MacKirdy), Acting Director Community and Development (Leann Symonds), Director Environment and Infrastructure (Jodi Roberts), Director Corporate and Customer Service (Karen Rokicinski), Group Manager Governance and Finance (Kellie Knight-Stacey), Strategic and Policy Planner (David Read) and Executive Assistant (Chelsie Butler) be excluded from attendance at the meeting for Agenda Item 19.1 CONFIDENTIAL – Motion Without Notice - Investigate Strategic Land Purchase - Cr Brayden Mann.

a. The Council is satisfied that, pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the negotiation of a potential purchase of land between Council and another authority.

b. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details may prejudice Council's position in the potential negotiation.

CARRIED

OC2712025

Retained in confidence

OC2722025

Moved: Cr Brayden Mann

Seconded: Cr Carol Schofield

That having considered this agenda item 19.1 CONFIDENTIAL – Motion Without Notice - Investigate Strategic Land Purchase – Cr Brayden Mann. in confidence under Section 90(2) and (3)(b) of the Local Government Act 1999, the Council;

a. Pursuant to Section 91(7)(a) of the Act orders that the report and minutes be retained in confidence until a purchase contract has been settled, or otherwise determined by the Chief Executive Officer: and

b. The public be readmitted to the meeting.

CARRIED

20. CONFIDENTIAL ITEMS

20.1. CONFIDENTIAL - Strategic Land Purchase

OC2732025

Moved: Cr Brayden Mann

Seconded: Cr Nick McKenzie

Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public except, the Chief Executive Officer (Victoria MacKirdy), Acting Director Community and Development (Leann Symonds), Director Environment and Infrastructure (Jodi Roberts), Director Corporate and Customer Service (Karen Rokicinski), Group Manager Governance and Finance (Kellie Knight-Stacey), Strategic and Policy Planner (David Read) and Executive Assistant (Chelsie Butler) be excluded from attendance at the meeting for Agenda Item 20.1 CONFIDENTIAL - Strategic Land Purchase.

a. The Council is satisfied that, pursuant to Section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the negotiation for the potential purchase of land between Council and another public authority.

b. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details may prejudice Council's position in the negotiation.

CARRIED

OC2742025

Retained in confidence

OC2752025

Retained in confidence

OC2762025

Moved: Cr Brayden Mann

Seconded: Cr Stewart Burns

That having considered this agenda item 20.1 CONFIDENTIAL - Strategic Land Purchase. in confidence under Section 90(2) and (3)(b) of the Local Government Act 1999, the Council;

a. Pursuant to Section 91(7)(a) of the Act orders that the report, attachments and minutes be retained in confidence until a purchase contract has been settled, or otherwise determined by the Chief Executive Officer: and

b. The public be readmitted to the meeting.

CARRIED

20.2. CONFIDENTIAL - Litigation Matter - Public Lighting

OC2772025

Moved: Cr Nick McKenzie

Seconded: Cr David Kemp

Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public except, the Chief Executive Officer (Victoria MacKirdy), Director Environment and Infrastructure (Jodi Roberts), Director Corporate and Customer Service (Karen Rokicinski), Group Manager Governance and Finance (Kellie Knight-Stacey), Acting Director Community and Development (Leann Symonds), and Executive Assistant (Chelsie Butler) be excluded from attendance at the meeting for Agenda Item 20.2 - CONFIDENTIAL - Litigation Matter - Public Lighting.

a. The Council is satisfied that, pursuant to Section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of legal advice, in that it has been provided by an external law firm, pertaining to a litigation matter on public lighting.

b. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matter is currently going through legal proceedings.

CARRIED

OC2782025

Retained in confidence

OC2792025

Moved: Cr Brayden Mann

Seconded: Cr Stewart Burns

That having considered Agenda Item 20.2 - CONFIDENTIAL - Litigation Matter - Public Lighting in confidence under Section 90(2) and (3)(h) of the Local Government Act 1999, the Council;

a. Pursuant to Section 91(7)(a) of the Act orders that the report, attachments and minutes be retained in confidence until such time as the matter has been finalised or as otherwise determined by the Chief Executive Officer: and

b. The public be readmitted to the meeting.

CARRIED

21. CLOSURE

Mayor Moira Jenkins closed the meeting at 7:45pm