MINUTES

Committee: Ordinary Council

Meeting Held: Monday, 23 September 2024

Location: Council Chambers, 1 Bay Road, Victor Harbor

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1. PRESENT

Mayor Moira Jenkins (Chair)
Cr Stewart Burns
Cr Michael Quinton
Cr Marilyn Henderson
Cr David Kemp
Cr Angela Schiller
Cr Nick McKenzie

In Attendance:

Chief Executive Officer - Ms Victoria MacKirdy
Director Community and Development - Mr Graham Pathuis
Director Corporate and Customer Service - Ms Karen Rokicinski
Acting Group Manager Governance and Finance - Ms Michelle James
Communications Officer - Ms Elizabeth Sweetman
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 Brayden Mann
Cr Carol Schofield
Cr Carlos Quaremba

These Minutes are subject to confirmation at the next Ordinary Council Meeting

4. ITEMS ADJOURNED AND/OR LYING ON THE TABLE

4.1. CONFIDENTIAL - Adjourned Item - Public Conveniences Investigator - Procurement

OC2932024

Moved: Cr Stewart Burns

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, Chief Executive Officer (Victoria MacKirdy), Director Corporate and Customer Services (Karen Rokicinski), Director Community and Development (Graham Pathuis), Acting Group Manager Governance and Finance (Michelle James), Executive Assistant (Chelsie Butler) and Access and Inclusion Support Officer (Vicki Francis) be excluded from attendance at the meeting for Agenda Item 4.1 CONFIDENTIAL - Adjourned Item - Public Conveniences Investigator – Procurement

a) The Council is satisfied that, pursuant to Section 90(3)(k) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this agenda item is a matter related to tenders for the provision of goods and services for Investigator Toilet Block Refurbishment procurement and the public release of the information during the negotiation of the contract may jeopardise Council's ability to secure best value for money.
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 information to be disclosed and discussed has the potential to jeopardise the commercial position of third parties.

CARRIED

OC2942024

Retained in confidence

OC2952024

Moved: Cr Stewart Burns

Seconded: Cr Nick McKenzie

That having considered Agenda Item 4.1 CONFIDENTIAL - Adjourned Item - Public Conveniences Investigator - Procurement in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999, the Council:

a) Pursuant to section 91(7) of the Local Government Act 1999, orders that the tender documents and all minutes be retained in confidence for a period of 6 months or until the

tender process has been finalised or as otherwise determined by the Chief Executive Officer; and

b) The public be readmitted to the meeting.

CARRIED

5. MINUTES OF THE PREVIOUS MEETING

5.1. Minutes of the Previous Meeting - 26 August 2024

OC2962024

Moved: Cr Angela Schiller

Seconded: Cr Nick McKenzie

That the minutes of the Ordinary Council meeting held on Monday, 26 August 2024 be confirmed as true and accurate.

CARRIED

5.2. Minutes of the Special Council Meeting - 16 September 2024

OC2972024

Moved: Cr Marilyn Henderson

Seconded: Cr David Kemp

That the minutes of the Special Council meeting held on Monday, 16 September 2024 be confirmed as true and accurate.

CARRIED

6. DEPUTATION

6.1. Local Government Association - President Election

Deputation received from Mayor Heather Holmes Ross regarding the Local Government Association President Election.

6.2. Blue Tree Project

Deputation received from Sharon Mair regarding the Blue Tree Project.

5.53pm *Mayor Moira Jenkins determined it would be considered appropriate to bring forward item 18.1 to be heard following item 6.2, as it relates directly to the deputation*

18.1. Motion On Notice - Blue Tree Project - Mayor Moira Jenkins

OC2982024

Moved: Mayor Moira Jenkins

Seconded: Cr Marilyn Henderson

That Council grants permission for Sharon Mair and her family to paint the dead tree blue at Tuck Reserve, Adelaide Road, as part of the Blue Tree Project, on the understanding that all safety measures are the responsibility of the participants, and Council will not be liable for any incidents, injuries, or damages that may arise during the project.

CARRIED UNANIMOUSLY

7. QUESTIONS FROM THE GALLERY

Nil

8. PETITIONS

Nil

9. OFFICE OF CHIEF EXECUTIVE OFFICER

9.1. Outstanding Resolutions

OC2992024

Moved: Cr Stewart Burns

Seconded: Cr Marilyn Henderson

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

CARRIED

9.2. Reviewed - Safe Environment Policy

OC3002024

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

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

CARRIED

9.3. Reviewed - Asset Management Policy

OC3012024

Moved: Cr David Kemp

Seconded: Cr Angela Schiller

That Council adopt the reviewed Asset Management Policy as provided at Attachment 2.

CARRIED

9.4. Reviewed - Asset Accounting Policy

OC3022024

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

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

CARRIED

9.5. Reviewed - Internal Control Policy

OC3032024

Moved: Cr Marilyn Henderson

Seconded: Cr Nick McKenzie

That Council adopt the reviewed Internal Control and Audit Policy as provided at Attachment 2.

CARRIED

9.6. 2025 Citizen of the Year Awards

OC3042024

Moved: Cr Marilyn Henderson

Seconded: Cr David Kemp

That Council call for nominations for the City of Victor Harbor 2025 Citizen of the Year Awards, commencing on 1 October 2024 and concluding 15 November 2024 for 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

OC3052024

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

1. That Council establish a 2025 Citizen of the Year Award Selection Panel consisting of two Council Members and up to three Community Representatives, to assess the nominations that are received.

6:19pm *In accordance with the Nomination and Appointment to Internal and External Positions of the Code of Practice for Meetings Procedures, Mayor Moira Jenkins called for nominations for the Council Member Positions on the 2025 Australia Day Awards Selection Panel.*

Mayor Moira Jenkins nominated herself

Cr Nick McKenzie nominated himself

2. That Council appoints Mayor Moira Jenkins and Cr Nick McKenzie to the 2025 Citizen of the Year Award Selection Panel.

CARRIED

OC3062024

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

That Council call for expressions of interest in order to fill the three Community Representative Positions on the 2025 Citizen of the Year Award Selection Panel and authorise the Chief Executive Officer to appoint the Community Members to the 2025 Citizen of the Year Award Selection Panel.

CARRIED

9.7. Local Government Finance Authority - Election of Representative Members of the Board of Trustees

OC3072024

Moved: Cr Stewart Burns

Seconded: Cr Michael Quinton

That Council appoints the Chief Executive Officer as the Returning Officer for the purpose of a secret ballot to determine the Council Member representatives for the Local Government Finance Authority - Election of Representative Members of the Board of Trustees.

CARRIED

OC3082024

Moved: Cr David Kemp

Seconded: Cr Stewart Burns

That Council:

a) resolve to vote for Michael Phillips-Ryder and Michael Sedgman to be the Representative Board Members of the Local Government Finance Authority of South Australia; and
b) authorise Mayor Moira Jenkins to complete the Ballot Paper.

CARRIED

9.8. Local Government Association - President Election

OC3092024

Moved: Cr Stewart Burns

Seconded: Cr Marilyn Henderson

That Council appoints the Chief Executive Officer as the Returning Officer for the purpose of a secret ballot to determine the Council Member representatives for the Local Government Association - President Election

CARRIED

OC3102024

Moved: Cr Marilyn Henderson

Seconded: Cr Nick McKenzie

That Council:

a) resolve to vote for Mayor Heather Holmes-Ross to be the Local Government Association President; and
b) authorise Mayor Moira Jenkins to complete the ballot paper for the election of the Local Government Association President and forward to the Returning Officer of the Local Government Association of South Australia.

CARRIED

10. COMMUNITY AND DEVELOPMENT

10.1. Community Grant Application

OC3112024

Moved: Cr Stewart Burns

Seconded: Cr Marilyn Henderson

That Council grant $2,494.60 in funding to the Fleurieu Run Tribe to support the purchase of a branded marquee and feather banners to help with promotion and weather protection at local events.

CARRIED

10.2. Encounter Bay Recreation Grounds - Next Steps

OC3122024

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

That Council approve the re-allocation of $158,000 from capital project 300102 (Encounter Bay Bowling Club - Car Park) to the design and construction of the Encounter Bay Football Club Car Park and that the Encounter Bay Bowling Club Car Park project be deferred by no more than 3 years to allow for the scope of the future works in that area to be determined.

CARRIED

10.3. Urban Growth Management Strategy - Discussion Paper Engagement Results and First Draft for Public Consultation

OC3132024

Moved: Cr Marilyn Henderson

Seconded: Cr Michael Quinton

1. That Council receives and notes the Urban Growth Management Strategy Phase 1 Engagement Summary Discussion Paper Engagement (June to July 2024) as prepared by Future Urban.

2. That Council approve the Draft Urban Growth Management Strategy 2050, City of Victor Harbor (for Consultation) for the purpose of commencing the second phase of community and stakeholder engagement in accordance with the Urban Growth Management Plan Engagement Strategy.

3. That a report be brought back to Council following the second phase of stakeholder and community engagement outlining the engagement findings and next steps for the project.

CARRIED

11. CORPORATE AND CUSTOMER SERVICE

11.1. Customer Service Statistics - January 2024 to June 2024

OC3142024

Moved: Cr Nick McKenzie

Seconded: Cr David Kemp

That Council receive and note the Customer Service Statistics - January 2024 to June 2024 report.

CARRIED

12. ENVIRONMENT AND INFRASTRUCTURE

12.1. Victor Harbor Ring Road Freight Route

OC3152024

Moved: Cr Nick McKenzie

Seconded: Cr Marilyn Henderson

That Council endorse a heavy vehicle gazettal notice of the Victor Harbor Ring Road comprising of Welch Road and Armstrong Road between Victor Harbor Road and Inman Valley Road, for 26m B Double use and authorise the Chief Executive Officer, or delegate, to take all necessary steps to complete the process.

CARRIED

12.2. Signalised Pedestrian Crossing - Adelaide Road

OC3162024

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

That Council endorse to proceed with the activation of the pedestrian refuge located north of the new ambulance station site on Adelaide Road to a signalised crossing.

CARRIED

OC3172024

Moved: Cr Marilyn Henderson

Seconded: Cr Angela Schiller

That Council endorse an increase in the 2024/25 operating budget of $90,000 for the conduit to connect the ambulance station lights with the signalised pedestrian crossing lights and detailed design to be undertaken.

CARRIED

OC3182024

Moved: Cr Angela Schiller

Seconded: Cr Marilyn Henderson

That Council endorse an increase in the 2024/25 operating budget of $250,000 for the construction the signalised pedestrian crossing.

CARRIED

OC3192024

Moved: Cr Angela Schiller

Seconded: Cr Nick McKenzie

That the Administration look to identify savings within the current operating budget where possible and apply for any relevant grant opportunities that may assist in offsetting this project.

CARRIED

13. MINUTES OF COUNCIL COMMITTEE MEETINGS

13.1. Recreation Centre Management Committee Meeting - 20 August 2024

OC3202024

Moved: Cr Stewart Burns

Seconded: Cr David Kemp

That Council receive and note the minutes of the Recreation Centre Management Committee meeting held on Tuesday, 20 August 2024.

CARRIED

13.2. Southern Communities Transport Scheme Advisory Committee - 21 August 2024

OC3212024

Moved: Cr Marilyn Henderson

Seconded: Cr Stewart Burns

That Council receive and note the minutes of the Southern Communities Transport Scheme Advisory Committee meeting held on Wednesday, 21 August 2024.

CARRIED

13.3. Audit and Risk Committee Meeting Minutes and Summary - 26 August 2024

OC3222024

Moved: Cr Nick McKenzie

Seconded: Cr Angela Schiller

1. That Council receive and note the minutes of the Audit and Risk Committee meeting held on Monday, 26 August 2024 as provided at Attachment 1.

2. That Council receive and note the Audit and Risk Committee Meeting Summary as provided at Attachment 2.

CARRIED

14. SUBSIDIARIES AND REPRESENTATIVE REPORTS

Nil

15. MATTERS OF URGENCY

Nil

16. QUESTIONS ON NOTICE

Nil

17. QUESTIONS WITHOUT NOTICE

Nil

18. MOTIONS ON NOTICE

18.2. Motion on Notice - Financial Assistance Grants Review - Mayor Moira Jenkins

OC3232024

Moved: Mayor Moira Jenkins

Seconded: Cr Stewart Burns

That Council requests, via the South Australian Regional Organisation of Councils (SAROC), that the Local Government Association of South Australia in conjunction with the Federal Local Government Minister, State Local Government Minister and Local Government Grants Commission of SA instigate a review of the methodology used to distribute Financial Assistance Grants that considers:

- An increase to the overall funding pool provided through grants scheme;
- The percentage share divided amongst states and territories, with a view to seeing a more equitable share provided to South Australia;
- Alternate models that enable a needs-based approach to funding allocation;
- Ways to deliver greater funding equity to SA councils.

CARRIED UNANIMOUSLY

18.3. Motion on Notice - Art Trail Proposal - Cr Marilyn Henderson

OC3242024

Moved: Cr Marilyn Henderson

Seconded: Cr Stewart Burns

That the City of Victor Harbor create an updated public art brochure, while uploading the details of public art installations on the existing Victor Harbor Feel It Calling App and relevant Council owned websites.

CARRIED

18.4. Motion on Notice - Gymnastics at the Precinct - Cr Carlos Quaremba

This item was deferred to the 28 October 2024 Ordinary Council meeting due to the absence of Cr Carlos Quaremba.

19. MOTIONS WITHOUT NOTICE

Nil

20. CONFIDENTIAL ITEMS

20.1. CONFIDENTIAL - CEO Performance Review Committee Meeting Minutes - 11 September 2024

OC3252024

Moved: Cr Marilyn Henderson

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), Director Community and Development (Graham Pathuis), Director Corporate and Customer Service (Karen Rokicinski). Acting Group Manager Governance and Finance (Michelle James), Executive Assistant (Chelsie Butler), Access and Inclusion Support Officer (Vicki Francis) be excluded from attendance at the meeting for Agenda Item 20.1 – CONFIDENTIAL – CEO Performance Review Committee Meeting Minutes – 11 September 2024.

a) The Council is satisfied that, pursuant to Section 90(3)(a) of the Act, the information to be received, discussed, or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
b) In addition, the disclosure of this information, would, on balance, be contrary to the public interest. The public interest in public access to the meetings has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large from withholding the information outweighs the benefit to it of disclosure of the information.

CARRIED

OC3262024

Retained in confidence

OC3272024

Moved: Cr Marilyn Henderson

Seconded: Cr Stewart Burns

That having considered Agenda Item 20.1 – CONFIDENTIAL – CEO Performance Review Committee Meeting Minutes - 11 September 2024 in confidence under Section 90(2) and (3)(a) of the Local Government Act 1999, the Council:

a) Pursuant to Section 91(7) of the Act orders that the report, attachments and discussions be retained in confidence until the next scheduled annual review of confidential items by Council at which time this order will be reviewed and determined in accordance with Section 91(9)(a) or otherwise determined by the Chief Executive Officer; and
b) The public be re-admitted to the meeting.

CARRIED

21. CLOSURE

Mayor Moira Jenkins closed the meeting at 7:29pm