

COUNCIL WATCH FLEURIEU INC.

Accountability with Integrity — The time for change is Now !

NEWSLETTER No. 60— APRIL 2026

COUNCIL IN CRISIS: FAILED GOVERNANCE, PUBLIC DISTRESS AND A COLLAPSE IN LEADERSHIP

Ageism controversy exposes systemic breakdown at Victor Harbor Council



LEAD STORY

Council Watch Fleurieu Inc believes the decision of the City of Victor Harbor Council has triggered **community distress, statewide reputational damage, and serious governance concerns**, culminating in a forced attempt to reverse a motion now widely described as discriminatory.

The motion, passed on **23 February 2026**, sought to exclude Victor Harbor residents from a proposed State Government downsizer stamp duty exemption, citing the need to “lower the average age” of the community.

Within weeks:

- The decision attracted **statewide condemnation**
- Concerns were raised regarding **age discrimination**
- Council was forced into a **public backdown**

- Confidence in Council leadership and administration has been **significantly undermined**

WHAT WENT WRONG — A FAILURE FROM START TO FINISH

This motion:

- Was introduced **without notice**
- Had **clear financial consequences for residents**
- Targeted a specific demographic group
- Carried **foreseeable legal risks**
- Was **not supported by proper administrative or legal advice**

Despite this, it was allowed to proceed, debated, and passed.

Council Watch finds:

This represents a fundamental failure of governance at every level of Council.

A PATTERN THE COMMUNITY CAN NOW SEE

The community may see this as part of a repeat pattern:

The outcome may give rise to a perception within the community that decisions were not subject to sufficient independent scrutiny.

ADMINISTRATION FAILURE — DUTY OF CARE BREACHED

The most serious issue is not the motion itself — but the absence of intervention.

Council Watch formally asks:

1. Why did the Acting CEO or any staff member offer to advise Councillor Mann and other elected members of the possible legal ramifications of the motion? No administrative advice was publicly recorded during the meeting regarding potential legal implications, why?

2. Why, when three councillors raised clear concerns and doubts, did administration not intervene or instruct Council to seek clarification?

Concerns were raised in the chamber that the motion may be discriminatory under the Equal Opportunity Act.

THE CASE FOR RESCISSION — LEADERSHIP FROM Councillor SCHILLER , Councillor BURNS and Councillor Kemp

Councillor Burns and Councillor Kemp supported Councillor Schiller to rescind the motion, arguing that it was:

- Discriminatory under the Equal Opportunity Act (“Age is a protected attribute...”)

- Divisive and damaging to community trust (“A resolution that singles them out... undermines trust”)
- Ineffective in achieving housing affordability (“The evidence shows the original motion would have done the opposite”)
- Inconsistent with Council’s strategic objectives
- Beyond Council’s lawful powers (“Council’s powers do not extend to advocating for discriminatory treatment”)

Both their interventions brought the legal clarity that should have been present from the outset, forced accountability back into the process, and mitigated additional reputational and community damage.

THE SILENCE THAT SPOKE VOLUMES

It was telling to see the councillors who previously backed the motion sit in complete silence as Councillor Schiller and Councillor Burns and Kemp exposed its flaws — a silence

that suggested they recognised, too late and embarrassingly may give the impression that the motion had not been subject to sufficient scrutiny prior to the vote.

PUBLIC APOLOGIES — BUT ONLY FROM TWO

Councillor Mann and the Mayor (Moira Jenkins) were compelled to publicly apologise in the face of overwhelming community backlash and widespread media criticism of this ill-conceived motion.

However, no public apology from those councillors that voted for the motion was recorded in the meeting, and no statements were made addressing their support for the original motion, leaving questions as to whether responsibility has been fully acknowledged.

REVOCATION OR ILLUSION?

Council has since claimed to have “revoked” the decision.

However:

- The **Local Government Act 1999 (SA)** does not clearly recognise “revocation” as a formal mechanism
- The correct process is **rescission**
- Council Watch has not identified publicly available documentation confirming that the motion has been formally rescinded

More concerning:

Council’s own roadside signage continues to promote the same policy position.

This creates a clear contradiction:

- One position inside the chamber

- Another in the community



THE LEGAL AND POLICY FAILURE

The justification for the motion was flawed from the outset.

Reality in Victor Harbor Housing

- Median house price: ~\$765,000
- 3-bedroom homes: ~\$720,000
- 4-bedroom homes: ~\$900,000

These are the homes supposedly being “freed up” for younger families.

WHY THE POLICY FAILS LOCALLY

- Young families **cannot afford** these properties
- New homes are significantly cheaper (\$360,000–\$460,000)
- Downsizing **does not increase housing supply**
- The policy reflects **metropolitan assumptions that do not apply regionally**

COMMUNITY DISTRESS AND STATEWIDE DAMAGE

Council Watch confirms:

The motion has been reported in media coverage and community commentary as damaging to Council’s reputation

The perception is clear:

- Older residents were being targeted
- A financial disadvantage was being proposed
- The community was not properly consulted

CONDUCT NOW UNDER SCRUTINY

This matter raises serious concerns regarding the conduct of:

- **Cr Brayden Mann** (Mover)
- **Cr Nick McKenzie** (Seconder)
- **Cr Marilyn Henderson, Cr Michael Quinton, Cr Brayden Mann, Cr Nick McKenzie** (Those voting in favour)
- **Mayor Dr Moira Jenkins**
- **The Acting Chief Executive Officer** (Karen Rokicinski)

Each had a responsibility to:

- Question the motion
- Ensure proper process
- Protect the community

CONDEMNATION: LEADERSHIP FAILURE

Council Watch states clearly:

The Mayor, **Dr Moira Jenkins**, through her actions:

- Permitted the motion to be introduced without notice
- Allowed debate to proceed despite concerns
- Enabled the passage of a motion now acknowledged as:

“both discriminatory and not showing good governance” (*Cr Angela Schiller*)

THE UNANSWERED QUESTION

Why did the Mayor not refuse the motion and require it to be properly submitted on notice?

Further:

Why was this matter not left to the Deputy Mayor, Cr Angela Schiller?

Is this a failure of judgement — or a matter of embarrassment?

LOSS OF CONFIDENCE AND CALLS FOR RESIGNATION

Council Watch has reached a firm position:

Having lost all confidence in the ability of Mayor Dr Moira Jenkins.

Accordingly:

Council Watch calls for her resignation.

COMMENDATION: LEADERSHIP WHEN IT MATTERED

In stark contrast:

Councillor **Angela Schiller** and Councillor **Stewart Burns** and Councillor **David Kemp** demonstrated leadership, integrity, and commitment to their community.

Their actions:

- Brought accountability back into the chamber
- Addressed legal and governance risks
- Initiated corrective action
- Restored a measure of public confidence

A CLEAR ALTERNATIVE

Council Watch states:

We would strongly support **Councillor Angela Schiller should she stand for Mayor** against the current occupant (**Moira Jenkins**) at the upcoming council elections in October this year.

THE BIGGER ISSUE — GOVERNANCE IS BROKEN

This incident reveals a deeper systemic problem:

- Decisions made “on the run”
- Lack of structured oversight
- Failure of administration to guide Council
- Inconsistent application of governance rules

FINAL WORD

This was not just a mistake.

It was:

- A failure of process

- A failure of advice
- A failure of leadership

And until those failures are addressed—

Confidence cannot be restored.

To view the full, unedited video record of these events, Council Watch encourages all members of the community to access the following links.

The original motion (OC542026) as presented by Cr Brayden Mann can be viewed here:

<https://youtu.be/RaRFDQbWPkw>

The subsequent motion to revoke that decision, moved by Cr Angela Schiller, can be viewed here:

<https://youtu.be/INiAjPERRGQ>.

These recordings provide a complete and transparent account of proceedings and allow viewers to form their own informed conclusions.

Council Watch Fleurieu Inc. extends its sincere thanks to the community for its continued engagement and support. We wish everyone a safe, restful and Happy Easter.

Terry Andrews

Chair – Council Watch Fleurieu Inc.

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