

INVESTIGATION

MAYOR'S CONDUCT UNDER SCRUTINY



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UNDER SCRUTINY**

**AS VICTOR HARBOR'S OWN MEETING RULES
RAISE SERIOUS QUESTIONS**

City of Victor Harbor
Code of Practice for Meeting Procedures

8. MINUTES

(2) No discussion on the minutes may occur before confirmation, except as to **the accuracy of the minutes** as a record of proceedings.

(4) The minutes of the proceedings of a meeting must include—

(a) the names of the members present at the meeting; and

(b)(i) **the time at which the person entered or left the meeting; and**

(b)(ii) unless the person is present for the whole meeting; the point in the proceedings at which the person entered or left the meeting; and

RULES ARE RULES

- ✓ Fair Meetings
- ✓ Accurate Minutes
- ✓ Transparency
- ✓ Accountability

**ARE THEY
BEING FOLLOWED?**

**PROCEDURES MUST
BE FAIR, TRANSPARENT
AND INSPIRE
CONFIDENCE IN
THE COMMUNITY.**

— CODE OF PRACTICE
PRINCIPLE

**COUNCIL WATCH
— FLEURIEU —**

OUR MEETINGS. OUR RULES. OUR RIGHT TO KNOW.

READ THE FULL STORY

Council Watch Chairman Mr Terry Andrews Calls for Mayor's Resignation.

1. VICTOR HARBOR'S OWN MEETING RULES RAISE SERIOUS QUESTIONS

Council's adopted Code requires fairness, transparency and accurate records. Council Watch's investigation has identified multiple areas where those standards deserve close examination.

Victor Harbor's own **Code of Practice for Meeting Procedures** sets out clear rules for how Council meetings must be chaired, how councillors must be treated, and what must be recorded in the official minutes. Council Watch's examination of those rules, together with concerns arising from the **Ordinary Council Meeting of 24 August**, raises serious questions

about whether those standards are being consistently upheld. The Code is built on guiding principles: meeting procedures must be **fair, open, transparent**, and give both the community and elected members confidence in Council's decision-making. Those principles are not optional. They form the foundation of the Mayor's role as Presiding Member.

Investigation finding 1:

The Chair's duty is impartiality, not discouraging scrutiny.

The Mayor's responsibility is to facilitate debate, not control it. Council Watch's concern centres on repeated interactions during the 24th August Council meeting where it appeared that the two councillors most actively questioning agenda reports and seeking clarification were treated differently while performing what many would regard as their due diligence as elected representatives. The Code expressly recognises that **councillors may ask questions about Council reports**, particularly where verbal updates are provided, and those questions form part of legitimate meeting business.

Questioning reports is not obstruction, It is accountability.

INVESTIGATION FINDING 2:

THE MAYOR'S OWN PROFESSIONAL EXPERTISE RAISES THE EXPECTED STANDARD

Mayor **Dr Moira Jenkins** is not unfamiliar with workplace conduct standards.

Publicly available professional information identifies Dr Jenkins as a **clinical psychologist**, with postgraduate qualifications including **Conflict Management**, and records her doctoral research into **workplace bullying and complaint processes**. She has also written professionally on the prevention and management of workplace bullying and harassment. Those credentials do not, of themselves, establish that any misconduct has occurred.

They do, however, mean the community can reasonably expect a high level of awareness of **respectful leadership, workplace behaviour, power dynamics, conflict management and the appropriate handling of interpersonal conduct**. For an elected leader entrusted with chairing Council meetings, those standards should be reflected consistently in practice.

Sources:

[Dr Moira Jenkins – professional biography and qualifications](#)
[University of Adelaide – workplace bullying research](#)

They do establish that the public can reasonably expect a high level of awareness of respectful leadership, power dynamics and appropriate workplace conduct.

Leadership should reflect those standards consistently.

Investigation finding 3:

Council's own Code requires member movements to be recorded

One of the clearest findings concerns the official minutes. Regulation 8 of the Code leaves little room for interpretation.

The minutes **must record**:

- every councillor present,
- the exact time a councillor enters the meeting,
- the exact time a councillor leaves,
- the point in proceedings where they entered or departed,
- every motion,
- every amendment,
- every mover and seconder,
- whether each motion carried or failed,
- disclosures of interest.

Council's own additional practice reinforces this requirement. It specifically states that **late arrivals are recorded with the time the councillor takes their seat**. If councillors are entering or leaving the chamber without those movements appearing in the minutes, that would be inconsistent with Council's own adopted meeting procedures. Accurate attendance records matter because they create the public record of who participated in decisions affecting ratepayers.

INVESTIGATION FINDING 4:

MINUTES ARE NOT SUPPOSED TO BECOME A DEBATE

The Code also protects the integrity of the official record.

Before minutes are confirmed, discussion is restricted to one issue only:

their accuracy as a record of proceedings.

No broader discussion should occur before confirmation.

This rule exists to preserve the integrity of Council's official record.

INVESTIGATION FINDING 5:

TRANSPARENCY IS NOT OPTIONAL

The Code repeatedly reinforces that meetings must promote public confidence.

It requires:

- fair procedures,
- open decision-making,
- transparent deliberations,
- certainty in meeting processes.

These obligations apply particularly to the Presiding Member. The Chair sets the tone for every Council meeting.

WHY THIS MATTERS

Victor Harbor residents elect councillors to ask difficult questions. They do not elect them simply to endorse recommendations without scrutiny.

Healthy local government depends on councillors being able to test reports, seek clarification, challenge recommendations where necessary, and participate without fear that legitimate questioning will be discouraged.

The Chair's role is to protect that process, not become part of the contest.

COUNCIL WATCH'S POSITION

After examining both the conduct observed during the 24 August meeting and the standards set out in Council's own Code of Practice, I believe confidence in the impartiality of the Chair has been undermined. For that reason, **I believe Mayor Dr Moira Jenkins should either resign or step aside for the remainder of this Council term and allow the Deputy Mayor to preside over the remaining meetings.**

That would help ensure the final meetings of this Council are conducted with the impartiality, fairness and transparency that Victor Harbor's own Code of Practice demands.

Council meetings belong to the community, not to the Chair.

Terry Andrews (Chair)

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