



6 December 2023

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File Ref: GOV9.14.041

Dear Board Member

NOTICE OF MEETING

Notice is hereby given pursuant to the Victor Harbor Horse Tram Authority Charter and Section 87(4) of the Local Government Act, 1999, as amended that a meeting for the **Victor Harbor Horse Tram Authority** has been called for:-

DATE: Wednesday, 13 December 2023
TIME: 1:30pm
PLACE: The Stables, 11 Canton Place, Victor Harbor

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

Yours faithfully

Megan Whibley
General Manager
Victor Harbor Horse Tram Authority

Please be advised that filming, photography and audio recording may take place at this meeting when the public and media are not lawfully excluded under Section 90 of the Local Government Act 1999.



Acknowledgement of Country

We acknowledge the traditional custodians of our beautiful lands and surrounding waters, the Ramindjeri and Ngarrindjeri people. As a community we recognise and respect their cultural connection with the land and waters.

1. Open Meeting/Welcome

2. Attendance

Nigel Catt (Chair)
Cr Carol Schofield AM
Paul Brown
Rachel Kennedy
Natasha Hunt

Megan Whibley (General Manager VHHTA)
Whitney Mainwaring (Minute Secretary - Consultant)

Karen Rokicinski (Director Corporate and Customer Service)

3. Apologies

Nil

4. Minutes of Previous meeting

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5. Adjourned Item(s)

Nil

6. Reports for Receiving and Noting only

6.1 Resolutions Register Report 9
6.2 Audit Committee Minutes Report – 31 October 2023 12
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7. Reports for Decision

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Victor Harbor Horse Tram Authority
Board Meeting Agenda
For meeting Wednesday, 13 December 2023
Commencing at 1:30pm



8. Presentation(s)

Nil

9. Discussion Items – No decision(s)

9.1 Board Member Remuneration

10. Correspondence Received

Nil

11. Urgent Business without Notice

Nil

12. Confidential Reports

Nil

Next Meeting

Wednesday, 7 February 2024, 3pm – The Stables, 11 Canton Place, Victor Harbor

Meeting Close

Please be advised

- *That filming, photography and audio recording may take place at this meeting when the public and media are not lawfully excluded under Section 90 of the Local Government Act 1999.*



Meeting **Victor Harbor Horse Tram Authority**
Date **13 December 2023**
From **Megan Whibley**
Subject **Board Meeting Minutes – 31 October 2023**
Report Number **4.1**

RECOMMENDATION

That the minutes of the previous Victor Harbor Horse Tram Authority Board Meeting held Tuesday, 31 October 2023, be confirmed as a true and accurate record.

INFORMATION

Purpose

The purpose of this report is to present the Victor Harbor Horse Tram Authority minutes for the meeting held on 31 October 2023 for confirmation.

Background

A Board meeting of the Victor Harbor Horse Tram Authority was held on Tuesday, 31 October 2023.

Commentary

The minutes for the Victor Harbor Horse Tram Authority meeting held Tuesday, 31 October 2023 were distributed to Members.

A copy of the minutes are provided at Attachment A to this report.

RISK ASSESSMENT

Legal and Compliance – The minutes were prepared and distributed to members in line with legislation. This risk is assessed as **low**.

REFERENCES

Nil

BUDGET IMPLICATIONS

Excluding endorsed budgeted staff resources there are no budget implications in confirming the Victor Harbor Horse Tram Authority minutes.

No additional funds are required.

CONSULTATION

Victor Harbor Horse Tram Authority Board members

Meeting **Victor Harbor Horse Tram Authority**
Date **13 December 2023**
From **Megan Whibley**
Subject **Resolutions Register Report**
Report Number **6.1**

RECOMMENDATION

That the Victor Harbor Horse Tram Authority receive and note the Outstanding Resolutions Register report.

INFORMATION

Purpose

The purpose of this report is to review the outstanding resolutions register and determine the best course of action for items where required.

Background

The General Manager is to maintain a register of outstanding resolutions and implement resolutions of the Board in a timely and efficient manner.

The outstanding resolutions report lists all the outstanding resolutions from previous Board meetings, with a progress note against each resolution. Completed items are removed from the register for the following Board meeting to ensure that the list remains a current working document of outstanding resolutions that require action.

Commentary

The current outstanding resolutions register is provided at attachment A.

RISK ASSESSMENT

Corporate Governance –The Board must manage its governance risk of implementing decisions of the Board and associated actions as well as undertake duties as required by the Local Government Act 1999 Section 99(1)(a) and the Charter within approved budgets and required time frames. This report provides a mechanism for the Board to monitor progress of resolutions, work and actions and to manage the associated governance risk. The risk is assessed as **low**.

Socio Political, Community Issues / Reputation – There may be some concern from Board members, Council and the broader community if resolutions are not actioned in a timely manner or if the current Board determines to resolve contrary to an earlier resolution. The risk is assessed as **medium**.

BUDGET IMPLICATIONS

There are no budget implications associated with the Board receiving and noting this report.

The majority of tasks on the outstanding resolutions register will be undertaken by the General Manager Horse Tram Authority as scheduled and without requirement for additional funds. Where additional funds are required to achieve items on the resolutions register, endorsement by the Horse Tram Authority Board, or where applicable, budget bids to Council, will be applied to individual items as required.



Attachment A

VHHTA – Outstanding Resolutions Register – updated 6-Dec-23

Date	Minute Number	Resolution	Status/Update
<i>Leave blank</i>			
31 Oct 2023	VHHTA408	The Victor Harbor Horse Tram Authority receive and note the First Quarter Review of the 2023/2024 Budget Report.	Complete
31 Oct 2023	VHHTA409	That the Victor Harbor Horse Tram Authority endorse the First Quarter Review of the 2023/2024 Budget Report and Provide the Budget Review to Council	Complete
31 Oct 2023	VHHTA410	That the Victor Harbor Horse Tram Authority : <ul style="list-style-type: none"> - receive and note the Proposed 2024 Board Meeting, Informal Gathering and Audit Committee Meeting Dates Report. - Endorse the Proposed 2024 Board Meeting, Informal Gathering and Audit Committee meeting dates as listed in the report with a change in that meetings will be held on Wednesdays in lieu of Tuesdays in the corresponding weeks. 	Complete
1 Dec 2020	VHHTA209	That the General Manager present a report to the Victor Harbor Horse Tram Authority Board prior to the setting of the 2021/2022 budget, that includes information on our training policy and our budget requirements for training, so as to provide direction for the Board.	Draft tabled at Board meeting 13 September 2022 – VHHTA Draft Staff and Development Policy requiring further development.



Meeting **Victor Harbor Horse Tram Authority**
Date **13 December 2023**
From **Megan Whibley**
Subject **Audit Committee Public Minutes – 31 October 2023**
Report Number **6.2**

RECOMMENDATION

That the Victor Harbor Horse Tram Authority receive and note the unconfirmed public minutes of the Audit Committee meeting 31 October 2023 at attachment A to this report.

INFORMATION

Purpose

The purpose of this report is to receive and note the minutes of the Audit Committee meetings held on Tuesday, 31 October 2023 and to consider recommendations from the Audit Committee.

Background

The Audit Committee minutes from the meeting held on Tuesday, 31 October 2023 were distributed to Members.

Commentary

During the meeting held 31 October 2023, the Audit Committee made an Action List note to request to Council that the committee change the Audit Committee's name to the Audit & Risk Committee.

A copy of the 31 October 2023 Audit Committee minutes are provided at attachment A to this report.

RISK ASSESSMENT

Legal and Compliance – The minutes were prepared and distributed to members in line with legislative requirements. This risk is assessed as **low**.

REFERENCES

VHHTA Charter

The Local Government Act 1999

Local Government (Financial Management) Regulations 2011

BUDGET IMPLICATION

Excluding endorsed budgeted staff resources there are no budget implications in the preparation and receipt of this report.

No additional funds are required.

CONSULTATION

Audit Committee Members

Karen Rokicinski – (Director Corporate and Customer Service CVH)

**Minutes of the Victor Harbor Horse Tram
Authority Audit Committee Meeting
For meeting Tuesday 31 October 2023
Commencing at 12:30pm, The Stables, 11
Canton Place, Victor Harbor**



1. Attendance

Present

John Morgan (Independent Member) (Chair) Nigel
Catt
Rachel Kennedy
Kate Christ (Independent Member) (Via Teams)

In attendance

Megan Whibley (General Manager VHHTA)

Commencement

The meeting commenced at 12:35 pm

2. Apologies

Laura Hodgson (Independent Member)

3. Conflict of Interest

Nil

4. Minutes of the Previous Meeting

4.1 Audit Committee Meeting Minutes Report – 26 September 2023

AC056 Moved: Nigel Catt
 Seconded: Rachel Kennedy

That the minutes of the previous Victor Harbor Horse Tram Authority Audit Committee meeting held Tuesday, 26 September 2023 be confirmed as a true and accurate record.

CARRIED

5. Business Arising

Nil

6. Reports for Receiving and Noting only

6.1 Action List Report

**Minutes of the Victor Harbor Horse Tram
Authority Audit Committee Meeting
For meeting Tuesday 31 October 2023
Commencing at 12:30pm, The Stables, 11
Canton Place, Victor Harbor**



8. Presentations

Nil

9. Discussion Items – No decision(s)

9.1 VHHTA AC Terms of Reference and its compliance with current legislation.

10. Correspondence Received

Nil

11. Urgent Business without Notice

Nil

12. Confidential Item(s)

Nil

13. Next Meetings

Next meeting – Wednesday 7 February 2024, 12:30PM, at 'The Stables' 11 Canton Place, Victor Harbor.

14. Meeting Closed.

The meeting closed at 1:02 pm.

Please be advised that filming, photography and audio recording may take place at this meeting when the public and media are not lawfully excluded under Section 90 of the Local Government Act 1999.



Meeting **Victor Harbor Horse Tram Authority**
Date **13 December 2023**
From **Megan Whibley**
Subject **Update - Governance Audit Report**
Report Number **6.3**

RECOMMENDATION

That the Victor Harbor Horse Tram Authority Board receive and note the Update – Governance Audit Report.

INFORMATION

Purpose

The purpose of this report is to update Board members of the completion of the recent governance audit of the Victor Harbor Horse Tram Authority.

Background

As ratified by the Board in May 2023, an external auditor was engaged in June 2023 to undertake an audit comprising of an analysis of the Charter and the functions being performed. The scope also included analysing the value the Board has brought to the Authority.

Commentary

The Victor Harbor Horse Tram Authority has now received the completed governance audit and is currently undertaking assessment of the matters raised.

Upon completion of an assessment of the audit findings a report will be presented to Board Members providing information regarding planned strategies in addressing the findings revealed.

RISK ASSESSMENT

Legal and Compliance – This risk is assessed as **low**.

REFERENCES

Nil

BUDGET IMPLICATIONS

There are no budget implications in receiving and noting the Update – Governance Audit Report. No additional funds are required.

CONSULTATION

Victor Harbor Horse Tram Authority Board members



Meeting **Victor Harbor Horse Tram Authority**
Date **13 December 2023**
From **Megan Whibley**
Subject **Reappointment of Board Members Report**
Report Number **7.1**

RECOMMENDATION

- 1. That the Victor Harbor Horse Tram Authority Board receive and note the Reappointment of Board Members Report.**
- 2. That the Victor Harbor Horse Tram Authority Board recommend to Council that Paul Brown and Nigel Catt be reappointed as Independent Board Members for a third term commencing on 1 March 2024 and concluding 1 March 2027.**
- 3. That the Victor Harbor Horse Tram Authority Board recommend to Council that Rachel Kennedy be appointed as an Independent Board Member for a third term commencing on 1 March 2024 and concluding 1 March 2026.**

INFORMATION

Purpose

The purpose of this report is for the Authority to consider and recommend to Council to give consideration to reappointing Paul Brown, Rachel Kennedy and Nigel Catt as Independent Board Members for a third term.

Background

The Victor Harbor Horse Tram Authority Charter sets out the requirements for a Board Member to be eligible for reappointment as follows:

- 2.9.5 A Board Member is eligible for reappointment at the expiration of a term of office except that no person shall hold office as a Board Member for more than three consecutive terms.*
- 2.9.6 Prior to the conclusion of the term of office of any Board Member, a further appointment will be made by the Council.*
- 2.9.7 The Council must give to the Authority a written notice of appointment of a Board Member.*
- 2.9.8 Each Board Member must give to the Authority a signed written consent to act as a Board Member.*

At the Ordinary Council meeting held on Monday, 23 November 2020, Council reappointed Paul Brown and Nigel Catt to the Victor Harbor Horse Tram Authority as Independent Board Members for a three-year term commencing on 1 March 2021.

At the Ordinary Council meeting held on 28 March 2022, Council reappointed Rachel Kennedy to the Victor Harbor Horse Tram Authority as an Independent Board Member for a two-year term commencing on 1 March 2022.

Commentary

With Paul Brown, Rachel Kennedy and Nigel Catt's terms due to conclude on 1 March 2024, all three members have indicated they wish to be reappointed to the Board for a third term.

As the Board has entered an established and effective stage, it's considered it to be advantageous for the Authority to recommend to Council to consider and reappoint Paul Brown, Rachel Kennedy and Nigel Catt to the Authority Board for a third term. The advantages of reappointing all three members will ensure the Authority retains their knowledge and valuable skills.

The terms of remaining Independent Board Member, Natasha Hunt's term is due to conclude on 1 March 2025.

To ensure the Authority meets the requirements of Clause 2.9.3 of the Charter, it's recommended that Paul Brown and Nigel Catt be appointed for a three-year term, and Rachel Kennedy be appointed for a two-year term.

This will ensure that no more than two Board Members terms of office expire in the same 12-month period.

RISK ASSESSMENT

The risks associated with the recommendations have been assessed as follows:

Legal and Compliance – The recommendations meet the requirements of the Victor Harbor Horse Tram Authority. This risk is assessed as **low**.

REFERENCES

Victor Harbor Horse Tram Authority Charter

Local Government Act 1999

BUDGET IMPLICATIONS

There are no budget implications associated with the Board receiving and endorsing this report.

CONSULTATION

Victor Harbor Horse Tram Board Members



Meeting **Victor Harbor Horse Tram Authority**
Date **13 December 2023**
From **Megan Whibley**
Subject **Asset Management Proposal Report**
Report Number **7.2**

RECOMMENDATION

- 1. That the Victor Harbor Horse Tram Authority Board receive and note the Asset Management Proposal Report.**
- 2. That the Victor Harbor Horse Tram Authority Board recommend to Council to approve the sale of two Clydesdales and acquisition of a foal when available.**

INFORMATION

Purpose

The purpose of this report is for the Board to consider recommending to Council the approval of the sale of two Clydesdale horses and the purchase of a foal when one becomes available.

Background

On October 2022 Council acquired two Clydesdales, Norman and Finnis, for a total of \$11,000. The horses were purchased for the specific intention of pulling the horse tram on behalf of the Victor Harbor Horse Tram Authority. The Victor Harbor Horse Tram's primary business centres around its Clydesdales, and the continued success of the operation relies on the consistent capability of these horses to pull the tram effectively.

Commentary

Since commencing, the two aforementioned Clydesdales have encountered challenges in fulfilling their designated roles of pulling the horse tram, primarily due to inherent nervousness in the presence of people and when navigating the causeway. Seeking expert advice, an equine specialist was consulted who has advised that both of these horses are unlikely to overcome their innate fears, rendering them unsuitable for tram-pulling duties.

Considering these circumstances, the Authority is seeking approval to proceed with the sale of the two horses. An offer has already been received of \$12,500 per horse, and investigation reveal this is a fair and reasonable offer.

With consideration towards sustainability of quality horses, the Authority will explore the purchase of a suitable foal when one becomes available in the future. Both the Board and Council will be updated at this time.

RISK ASSESSMENT

This risk is assessed as **low**.

REFERENCES

Victor Harbor Horse Tram Authority Charter

Local Government Act 1999

BUDGET IMPLICATIONS

The risk is assessed as low.

CONSULTATION

Victor Harbor Horse Tram Board Members