



20 July 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: Monday, 24 July 2023**  
**TIME: 10:30am**  
**PLACE: Grosvenor Hotel – Conference Room**

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.*



**1. Open Meeting/Welcome**

**2. Attendance**

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

Megan Whibley (General Manager VHHTA)  
Tamar Herron (Minute Secretary VHHTA)

Toni Carter (Executive Assistant – Corporate and Customer Service)

**3. Apologies**

Nil

**4. Minutes of Previous meeting**

4.1 Board Meeting Minutes Report – 27 April 2023, 31 May 2023 3

**5. Adjourned Item(s)**

Nil

**6. Reports for Receiving and Noting only**

6.1 Resolutions Register Report 14  
6.2 Audit Committee Minutes Report – 9 May 2023 19

**7. Reports for Decision**

7.1 Proposed Ticket Price Increase Report 25  
7.2 Policy Review Report 29  
7.3 Board Meeting Change of Date Report 59

**8. Presentation(s)**

Nil

**9. Discussion Items – No decision(s)**

9.1 Horse Tram Patron



**10. Correspondence Received**

Nil

**11. Urgent Business without Notice**

Nil

**12. Confidential Reports**

Nil

**Next Meeting**

Tuesday, 8 August 2023, tbc, 3pm – The Stables – Canton Place

**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.*
  
- *To comply with COVID-19 physical distancing requirements, places in the public gallery are limited and will be filled on a 'first in' basis.*



Meeting **Victor Harbor Horse Tram Authority**  
Date **24 July 2023**  
From **Megan Whibley**  
Subject **Board Meeting Minutes – 27 April 2023 and 31 May 2023**  
Report Number **4.1**

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## **RECOMMENDATION**

**That the minutes of the previous Victor Harbor Horse Tram Authority Board Meetings held Thursday, 27 April 2023, and Wednesday, 31 May 2023, be confirmed as true and accurate records.**

## **INFORMATION**

### **Purpose**

The purpose of this report is to present the Victor Harbor Horse Tram Authority minutes for the meetings held on 27 April 2023 and 31 May 2023 for confirmation.

### **Background**

A Board meeting of the Victor Harbor Horse Tram Authority was held on Thursday, 27 April 2023. A special Board meeting was held on Wednesday, 31 May 2023.

### **Commentary**

The minutes for the Victor Harbor Horse Tram Authority Board meeting held Thursday, 27 April 2023 were distributed to Members on Monday, 1 May 2023. The minutes for the Victor Harbor Horse Tram Authority special Board meeting held Wednesday, 31 May 2023 were distributed to Members on Friday, 2 June 2023.

A copy of the minutes are provided at attachment A and B 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

**Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Thursday 27 April 2023 Commencing  
at 3:00pm, COVH Council Chambers**



**Present**

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

**In Attendance**

Megan Whibley (General Manager VHHTA)  
Tamar Herron (Minute Secretary VHHTA) (Via Zoom)

Karen Rokicinski (Director Corporate and Customer Service COVH)

**Commencement**

The meeting commenced at 2:57 pm

**3. Apologies**

**4. Minutes of the Previous Meeting**

**4.1 Board Meeting Minutes – 7 February 2023**

VHHTA360 Moved: Natasha Hunt  
Seconded: Rachel Kennedy

That the minutes of the previous Victor Harbor Horse Tram Authority Board meeting held Tuesday, 7 February 2023, as per a copy supplied to members at attachment A to this report, be confirmed as a true and accurate record.

**CARRIED**

**5. Adjourned Item(s)**

Nil

**6. Reports for Receiving and Noting only**

**6.1 Outstanding Resolutions Register**

VHHTA361 Moved: Carol Schofield

**Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Thursday 27 April 2023 Commencing  
at 3:00pm, COVH Council Chambers**



Seconded: Paul Brown

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

**CARRIED**

At 3:02pm Karen Rokicinski joined the meeting.

**6.2 Audit Committee Meeting Minutes Report**

VHHTA362 Moved: Natasha Hunt  
Seconded: Rachel Kennedy

That the Victor Harbor Horse Tram Authority receive and note the Audit Committee Meeting Minutes report.

**CARRIED**

**6.3 Euthanasia of Jay Jay**

VHHTA363 Moved: Carol Schofield  
Seconded: Rachel Kennedy

That the Victor Harbor Horse Tram Authority receive and note the Euthanasia of Jay Jay report.

**CARRIED**

**7. Reports for decision**

**7.1 Amended Draft Operating and Capital Budget Report**

VHHTA364 Moved: Natasha Hunt  
Seconded: Rachel Kennedy

1. That the Victor Harbor Horse Tram Authority receive and note the Amended Draft Operating and Capital Budget 2023/24 Report.
2. That the Victor Harbor Horse Tram Authority Board endorse the Amended Draft Operating and Capital Budget 2023/24 and the accompanying

**Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Thursday 27 April 2023 Commencing  
at 3:00pm, COVH Council Chambers**



financial statements as provided at attachment A to this report, and provide it to Council for their approval.

**CARRIED**

**7.2 March Quarterly Budget Review 2022/23**

VHHTA365 Moved: Carol Schofield  
Seconded: Paul Brown

1. That the Victor Harbor Horse Tram Authority Board receive and note the March Quarterly Budget Review 2022/23 report.

**CARRIED**

VHHTA366 Moved: Natasha Hunt  
Seconded: Paul Brown

That the Victor Harbor Horse Tram Authority Board;

- a) Endorse the March Quarterly Budget Review 2022/23 as presented at attachment A to this report, noting an unchanged contribution from Council (operating deficit) of \$415,000, and
- b) Note Council's request for the VHHTA to return surplus operating funds at the end of the 2022/23 financial year, and
- c) Provide the March Quarterly Budget Review 2022/23 to Council.

**CARRIED**

**8. Presentations**

Nil

**9. Discussion Items – No decision(s)**

9.1 Fiscal responsibility discussion

Brief discussion around returning surplus funds to Council at the end of the 2022/23 financial year.

9.2 Meals on Wheels / Neutrog promotional opportunity

Discussion around offering a promotional 'once off' discount to Meals on Wheels customers. General Manager to follow up with Meals on Wheels





**Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Thursday 27 April 2023 Commencing  
at 3:00pm, COVH Council Chambers**



***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.*





**Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Wednesday 31 May 2023  
Commencing at 10:30am, Via Zoom**



**4.4 Final Adoption - Capital and Operating Budget 2023/24**

VHHTA371 Moved: Rachel Kennedy  
Seconded: Natasha Hunt

1. That the Victor Harbor Horse Tram Authority receive and note the Final Adoption - Capital and Operating Budget 2023/24 report.

**CARRIED**

VHHTA372 Moved: Natasha Hunt  
Seconded: Rachel Kennedy

2. That:

- the Victor Harbor Horse Tram Authority adopt the 2023/24 Operating Budget in the accompanying financial statements as provided at Attachment A to this report, detailing a Council contribution of \$365,000 (operating deficit) and consistent with the approval given by the Council at their meeting on 29 May 2023; and
- the Victor Harbor Horse Tram Authority adopt the 2023/24 Capital Budget as presented in this report, detailing net capital expenditure of \$55,000 and consistent with the approval given by the Council at their meeting on 29 May 2023; and
- the Victor Harbor Horse Tram Authority provide a copy of the adopted budget to Council, as required by section 5.4 of the Charter.

**CARRIED**

**5. Next Meetings**

Monday, 24 July 2023 at 10:30am – The Stables – VHHTA Visitor Centre, Canton Place. TBC

**6. Meeting Closed.**

The Chair declared the meeting closed at 11:24am

Minutes of the Victor Harbor Horse Tram Authority  
Board Meeting  
For meeting Wednesday 31 May 2023  
Commencing at 10:30am, Via Zoom



***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 **24 July 2023**

From **Megan Whibley**

Subject **Resolutions Register Report**

Report Number **6.1**

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## **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 1-Jun-23

Date	Minute Number	Resolution	Status/Update
<i>Leave blank</i>			
31 May 2023	VHHTA372	<p>That:</p> <ul style="list-style-type: none"> <li>• the Victor Harbor Horse Tram Authority adopt the 2023/24 Operating Budget in the accompanying financial statements as provided at Attachment A to this report, detailing a Council contribution of \$365,000 (operating deficit) and consistent with the approval given by the Council at their meeting on 29 May 2023; and</li> <li>• the Victor Harbor Horse Tram Authority adopt the 2023/24 Capital Budget as presented in this report, detailing net capital expenditure of \$55,000 and consistent with the approval given by the Council at their meeting on 29 May 2023; and</li> <li>• the Victor Harbor Horse Tram Authority provide a copy of the adopted budget to Council, as required by section 5.4 of the Charter.</li> </ul>	Complete
31 May 2023	VHHTA368	<p>That the Victor Harbor Horse Tram Authority recommends to Council that Nigel Catt be reappointed as an independent member to the Victor Harbor Horse Tram Authority Audit Committee for a term of two years.</p> <p>That the Victor Harbor Horse Tram Authority recommends to Council that Laura Hodgson be reappointed as an independent member to the Victor Harbor Horse Tram Authority Audit Committee for a term of two years.</p>	Complete
27 April 2023	VHHTA367	<p>That the VHHTA General Manager and Chair Person write a letter to the City of Victor Harbor CEO and Mayor to;</p> <ul style="list-style-type: none"> <li>- highlight the risks of not meeting the imminent deadline of the Building Better Regions Fund Grant;</li> </ul>	Complete



Attachment A

Date	Minute Number	Resolution	Status/Update
		<ul style="list-style-type: none"> <li>- ask for an update on the latest plan and clarity for what is in scope and out of scope, and;</li> <li>- request that the project manager, at the VHHTA Informal Board meeting to be held on 9 May 2023, provide an update presentation.</li> </ul>	
<b>27 April 2023</b>	VHHTA366	<p>That the Victor Harbor Horse Tram Authority Board;</p> <ul style="list-style-type: none"> <li>a) Endorse the March Quarterly Budget Review 2022/23 as presented at attachment A to this report, noting an unchanged contribution from Council (operating deficit) of \$415,000, and</li> <li>b) Note Council's request for the VHHTA to return surplus operating funds at the end of the 2022/23 financial year, and</li> <li>c) Provide the March Quarterly Budget Review 2022/23 to Council.</li> </ul>	Complete
<b>27 April 2023</b>	VHHTA364	<p>That the Victor Harbor Horse Tram Authority Board endorse the Amended Draft Operating and Capital Budget 2023/24 and the accompanying financial statements as provided at attachment A to this report, and provide it to Council for their approval.</p>	Complete
<b>7 February 2023</b>	VHHTA359	<p>That the Victor Harbor Horse Tram Authority Board;</p> <ul style="list-style-type: none"> <li>a. endorse the Draft Operating and Capital Budget 2023/24 and the accompanying financial statements, as provided at attachment A to this report, with the following listed alterations,               <ul style="list-style-type: none"> <li>• an increase of twenty thousand dollars to the advertising budget so as to be ready for the new facility,</li> <li>• an increase in wages of 8.6% from the 7.8% that was allowed for, due to the average CPI increase for Adelaide being 8.6%, and</li> <li>• a corresponding increase in income so as to have a zero-net effect, and</li> </ul> </li> </ul>	Complete



Attachment A

Date	Minute Number	Resolution	Status/Update
		b. provide the Draft Operating and Capital Budget 2023/24 to Council for their approval.	
<b>7 February 2023</b>	VHHTA353	That the VHHTA review the ticket price structure at the June 2023 meeting, including merchant fees, comparison of similar products and experiences, and any operating cost increases.	Complete  Ticket price report presented at the 24 July meeting as no quorum available for a 6 June 2023 meeting
<b>1 December 2020</b>	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 **24 July 2023**  
From **Megan Whibley**  
Subject **Audit Committee Public Minutes – 9 May 2023**  
Report Number **6.2**

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## **RECOMMENDATION**

**That the Victor Harbor Horse Tram Authority receive and note the unconfirmed public minutes of the Audit Committee meeting 9 May 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, 9 May 2023 and to consider recommendations from the Audit Committee.

### **Background**

The Audit Committee minutes from the meeting held on Tuesday, 9 May 2023 were distributed to Members on Friday, 12 May 2023.

### **Commentary**

During the meeting held 9 May 2023, the Audit Committee made an Action List note for the General Manager to make an informal query with Council regarding the VHHTA Audit Committee's name and COVH plans for the COVH Audit Committee's name / renaming so as to include the word Risk in the Committee's title, and discuss with the Audit Committee at the next meeting.

The Audit Committee also resolved that the Audit Committee recommend to the VHHTA Board that the Audit Committee memberships of Nigel Catt and Laura Hodgson be renewed. This resolution was presented to the Board at the May 2023 special meeting.

A copy of the 9 May 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 9 May 2023  
Commencing at 12:30pm, Encounter Room



**13. Next Meetings**

Next meeting to be scheduled prior to the September meeting, details TBC  
Tuesday 12 September 2023, 12:30 pm at the Encounter Room, TBC

**14. Meeting Closed.**

The meeting closed at 1:28 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 **24 July 2023**  
From **Megan Whibley**  
Subject **Proposed Ticket Price Increase Report**  
Report Number **7.1**

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## **RECOMMENDATION**

- 1. That the Victor Harbor Horse Tram Authority receive and note the proposed Ticket Price Increase Report.**
- 2. That the Victor Harbor Horse Tram Authority Board endorse that the proposed ticket price increases, as detailed in this report, to come into effect from ...../...../2023.**

## **PURPOSE**

The purpose of this report is for the Victor Harbor Horse Tram Authority (VHHTA) Board to endorse changes to Victor Harbor Horse Tram ticket pricing.

## **BACKGROUND**

During the past 3 years, ticket prices have had a few increases and changes for various reasons and have all been well received. One of the ticket price increases was in August 2019, where the VHHTA introduced 'kids ride free' with a paying Adult' with a corresponding increase of an Adult ticket price to cover this. This change in ticket pricing structure generated more revenue than previous years. This ticket increase was well received with next to no complaints from the consumers.

Once the impacts the Covid 19 became apparent, the VHHTA implemented a price increase in March 2021, to help mitigate the restricted passenger numbers allowed on the Horse Tram and increased operating costs, due to Covid marshaling and intense cleaning of trams between journeys. Again, this was well received, and the revenue increase was remarkable.

At the February 2023 Board meeting the Board requested that the General Manager bring a report to the June 2023 meeting detailing a VHHTA review of the ticket price structure, including merchant fees, comparison of similar products and experiences, and any operating cost increases.

## INFORMATION

Below are the current ticket prices.

“KIDS RIDE FREE”

	<b>Return</b>	<b>One-way</b>
Adults	\$20 each	\$15 each
Concession	\$15	\$10
Seniors	\$15	\$10
Students (14yrs +)	\$15	\$10
Kids 0 – 13yrs ride free (limit of 2 kids per paying adult)		

### **Annual Membership**

Adult	\$60
Concession	\$45

Since the implementation of the current ticket prices, various operational factors have caused the VHHTA to reassess the current prices. Operational costs involved in maintaining and running the Horse Tram service, including horse care, infrastructure maintenance and increases in staff wages, one of the VHHTA's largest expenses, have increased.

Wages were increased by 3.5% in 2022, and then have again increased by a further 8.6% in 2023, in line with the Enterprise Bargaining Agreement and CPI. The main external factor for these increases is inflation. A ticket price increase will, in a large way, address these increases in running costs. The VHHTA is hesitant to increase ticket prices by a margin of less than five dollars due to the mental calculations that staff need to perform during ticket sales. The increases proposed would increase the price of tickets twenty to twenty five percent which is a substantial increase.

The VHHTA is aware that part of its mandate is to provide a transport service for visitors to Granite Island, and not just perform strictly as a tourist attraction. The VHHTA has considered the effect on the accessibility and affordability of the Horse Tram service for different demographic groups. A comparison has been undertaken of other similar offerings and price points. Horse Tram tickets fall into the lower end of the comparison scale, especially when the duration of experience is taken into account.

An increase of five dollars per ticket (apart from the one way Adult ticket staying as is) is also balanced out by the ongoing 'children ride free' offer, allowing a family consisting of two adults and four children to ride return for fifty dollars, or allow a pensioner to take two children aboard, return fare, for twenty dollars. The still relatively low cost of Tram travel is unlikely to produce any negative consequences on various stakeholders, such as residents, tourists, and local businesses.

Merchant fees are currently absorbed by the VHHTA, and not passed on directly to passengers. Merchant fees are set at 0.46%. A five dollar ticket price increase is a way of passing these costs on to ticket buyers, and in a way that allows ticket buyers to see exactly how much they will pay and to not receive any hidden fees which might create negative feelings associated with their Horse Tram experience.

The VHHTA is about to start providing its 'Behind the Scenes' offerings with unknown income numbers. Also, the 'Behind the Scenes Experiences' rollout is behind schedule by approximately six or seven months, due to delays in the building process. A ticket price increase provides a buffer at this time of uncertainty. The VHHTA receives a contribution in support from Council, and ultimately from the rate payers of the City of Victor Harbor. The Council has an appetite for the VHHTA to reduce its reliance on Council and rate payers

and the VHHTA is continually increasing its own source revenue. A ticket price increase will further this aim.

Listed below is the proposed change to ticket pricing from **1 September 2023**.

**“KIDS RIDE FREE”**

	<b>Return</b>	<b>One-way</b>
Adults	\$25 each	\$15 each
Concession	\$20	\$15
Seniors	\$20	\$15
Students (14yrs +)	\$20	\$15
Kids 0 – 13yrs ride free (limit of 2 kids per paying adult)		

**Annual Membership**

Adult	\$75
Concession	\$60

The Ticket Price Comparison Table is provided at Attachment A.

**RISK ASSESSMENT**

**Governance** - The Victor Harbor Horse Tram Authority Charter, which has been approved by the Minister, gives power to the VHHTA Board to set, charge and adjust fees for use of the facilities of the Victor Harbor Horse Tram. The risk is assessed as *low*.

**Financial** – The end of financial year figures show a significant increase in revenue for the 2022/23 financial year. The risk is assessed as *low*.

**BUDGET IMPLICATIONS**

Calculations indicate that the revised pricing structure should help address increased operation costs for this financial year, given that the new pricing will commence in September, two months into the 2023/24 financial year, and still increase the VHHTA's own source revenue. This is an estimate based upon an assumption that most adult passengers will still ride the Tram regardless of the price increase as feedback suggests that the ticket prices are perceived as low. The risk is assessed as *low*.



### Comparison of services and price points

Experience	Duration	Description	Price Points	
Horse Tram	15/30 minutes	One way /return	Adult \$15/\$20 Family \$30/R\$40	Conc / Student \$10/R\$15 2 children under 13 free per adult
Steam Ranger	20 minutes	Goolwa-Pt Elliot	Adult \$15/R\$23 Family R \$58	Conc \$12/R\$19 Child 4-15 \$8/R\$12
	30 minutes	Goolwa-VH	Adult \$23/R\$35 Family R \$89	Conc \$19/R\$32 Child 4-15 \$12/R\$18
Big Duck Boat	45 minutes	Sea Island Tour	Adult \$55 Family \$135	Child 2-15 \$30
PS Oscar Wilde	60 minutes	1 hour cruise	Adult \$22 Family \$60	Concession \$19 Child 5-15 \$10
Spirit of the Coorong	90 minutes	Short Murray Mouth Cruise	Adult \$55 Family \$155	Concession \$49 Child \$33 Infants free
Camel Beach Ride	10 minutes	Led camel ride on beach	Adult \$20	Student 11-17 \$15 Child 2-10 \$10
Amusement ride	5-10 minutes	Dodgem cars / Ferriss Wheel	Adult \$10	Family \$35
Urimbirra	Untimed	Observe/meet native animals	Adult \$14	Concession \$10 Child 4-14 \$7
Popeye River Boat	20/45 minutes	Sightseeing river cruise	Adult \$20/R\$26	Concession \$17/\$R22 Child 3-17 \$13/RS\$17
Spinway Bicycles	60 minutes	Bicycle rental	\$11	Family \$44



Meeting **Victor Harbor Horse Tram Authority**  
Date **24 July 2023**  
From **Megan Whibley**  
Subject **Policy Review Report**  
Report Number **7.2**

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## **RECOMMENDATION**

- 1. That the Victor Harbor Horse Tram Authority Board receive and note the Policy Review Report.**
- 2. That the Victor Harbor Horse Tram Authority Board have reviewed and endorse the policies and procedures as detailed at attachments A, B, C, D and E to this report.**

## **INFORMATION**

### **Purpose**

The purpose of this report is to provide policies of the VHHTA to the VHHTA Board for consideration and review.

### **Background**

At the VHHTA informal meeting, held on 11 July 2023, Board Members were provided with VHHTA policies due for review, so that a review of those policies could occur at the meeting to be held on Monday, 24 July 2023. Board Members were also provided with the VHHTA Code of Practice for Meeting Procedures for review.

### **Commentary**

The VHHTA still continues to use and refer to the policies of the City of Victor Harbor. The policies and procedures listed below, and provided at attachments A, B, C, D and E to this report, are policies that the VHHTA has adopted and are provided for Board review.

- Volunteer Policy
- Records Management Policy
- Communications Policy
- Code of Conduct Policy - Board Members
- Code of Practice for Meeting Procedures

## **RISK ASSESSMENT**

**Legal and Compliance** – The review of Policies ensures that they are reviewed and updated for effective control and guidance for the VHHTA. This risk is assessed as **low**.

## **REFERENCES**

The Local Government Act 1999

The VHHTA Charter

## **BUDGET IMPLICATIONS**

Excluding endorsed budgeted staff resources there are no budget implications in the VHHTA Board reviewing and updating VHHTA policies and procedures.

No additional funds are required.



# POLICY

<b>Policy Name</b>	<b><i>Volunteer Policy</i></b>
<b>Policy/File Number</b>	ED4.12.012
<b>Review Frequency</b>	Within Three Years
<b>Attachments</b>	<i>nil</i>

## 1. Purpose

The purpose of the Volunteer Policy is to provide a framework for the recruitment, management and recognition of volunteers involved in the Victor Harbor Horse Tram Authority services and activities.

## 2. Scope

The policy applies to all volunteers in Horse Tram activities, programs and services and to those employees who work in Horse Tram activities, programs and services where volunteers are involved, or have management responsibility for those programs.

## 3. Policy Statement (Summary)

The Victor Harbor Horse Tram Authority recognises the importance of volunteers and the valuable contribution they make to the community, and to the delivery of the Horse Tram service. The Victor Harbor Horse Tram Authority is committed to utilising the time, skills, talents and energy of volunteers because it:

- Provides direct links between Victor Harbor Horse Tram Authority and the community
- Encourages social interaction
- Enhances and extends services
- Encourages an exchange of skills

## 4. Legislation and Compliance

- Work Health and Safety Act 2012
- Volunteer Protection Act 2001
- Volunteer Protection Regulations (SA) 2004
- Child Safety (Prohibited Persons) Act 2016.
- Children and Young People (Safety) Act 2017

## 5. Definitions

**Volunteer** – for the purposes of this policy a volunteer is an individual who is registered with the City of Victor Harbor and has approval by the Victor Harbor Horse Tram Authority General Manager to undertake activities that:

- Benefit the Horse Tram, community and the volunteer
- Complement but do not replace the activities of paid staff



- Are of the volunteer's own free will
- Are for no financial reward

The following persons, for the purpose of this policy, are not considered volunteers:

- People on work placement and work experience programs
- Students undertaking volunteering as a part of the education curriculum
- Board Members of Victor Harbor Horse Tram Authority (solely by virtue of their role as Board Members)
- Persons working under the order of a court or as a condition of a bond

**Child** – means a person under the age of 18.

**Criminal History Assessment** – involves obtaining information about relevant potential employees, volunteers, contractors or consultants on the basis that the information is deemed relevant to assessing the suitability of a person to work in a particular area. The information gathered may include details concerning previous employment and relevant experience; verification of qualifications and professional registration; criminal history information; reference checks and work history reports.

**Mandated Notifier** - a mandated notifier is any person directly involved in the delivery of services wholly or partly for children or holds a management position, the duties of which include direct responsibility for, or direct supervision of, the provision of those services.

**Prescribed Position** – is a position undertaken by a person that involves or requires one or more prescribed functions as follows:

- Regular contact with vulnerable people or working in close proximity to vulnerable people on a regular basis where that contact or work is not directly supervised at all times.
- Supervision or management of above positions; and
- Access to records of a kind prescribed by regulation relating to children (including records relating to child protection services, health services, education services, disability services and court order and proceedings).

**Vulnerable People** – people who may be at risk of abuse or exploitation due to their dependency on others. This includes all children, people with a disability, the frail aged and people of culturally and linguistically diverse backgrounds.

## 6. Policy Content

### 6.1 Principles of Volunteering

- Benefits the community and the volunteer.
- Is unpaid.
- Always a matter of choice and not compulsorily undertaken.
- A way in which citizens can participate in the activities of their community.
- Promotes human rights and equality.
- Not a substitute, replacement or threat to paid work.
- Addresses cultural, environmental and social needs of the community.

- Respects the rights, dignity and culture of others.

## 6.2 Responsibilities of Victor Harbor Horse Tram Authority

- Provide a clearly written volunteer position description.
- Provide appropriate orientation and ongoing training.
- Give work that is matched with the volunteers skills, abilities and availability.
- Decline or withdraw the volunteer from work the Authority feels is not suitable for, or is placing excessive demands, on the volunteer.
- Provide ongoing support and direction from appropriate staff.
- Provide appropriate resources to undertake volunteer duties as required.
- Provide a safe work environment.
- Treat volunteers with respect and as valued members of a team.
- Consult with and welcome ideas and suggestions for improvements of the program with which the volunteers are involve.
- Have complaints and grievances heard by an appropriate supervisor.
- Ensure that volunteers are aware of grievance procedures.
- Recognise the contribution of volunteers.
- Provide reimbursement for approved out-of-pocket expenses where applicable.
- Have personal records relating to volunteers handled in a confidential manner.

## 6.3 Responsibilities of Volunteers

- Fulfil the duties as specified in their position description in accordance with the relevant legislation.
- Make a realistic commitment in terms of involvement and reliability.
- Understand and acknowledge the requirements of Victor Harbor Horse Tram Authority Code of Conduct and relevant policies and guidelines.
- Participate in appropriate induction and ongoing training as provided.
- Follow all instructions, consistent with the volunteer's role description that may be given by the nominated supervisor.
- Maintain confidentiality regarding the Authority business, program information or any other sensitive, private information they come across during their volunteer duties.
- Report any unsafe conditions, potential hazards or accidents to their coordinator.
- Report any injury or damage to themselves or a third party.
- When a matter or situation arises that in the opinion of the volunteer is of serious concern, the matter can be disclosed in confidence under the Whistleblower Protection Policy to either the Responsible Officer in the City of Victor Harbor, or other party including the Ombudsman, the Minister, the Police or the Auditor-General.

## 7. Risk Management

The Victor Harbor Horse Tram Authority will identify and assess potential sources of harm and take steps to reduce and manage the risk to the Authority, volunteers and the people who benefit from Authority programs and services supported by volunteers.

- The Authority will ensure that appropriate insurance cover is provided to protect volunteers, paid staff, the community and organisations against damage, loss and injury.
- The Authority will undertake an induction process to provide volunteers with information relevant to performing their role. The induction process will include:
  - Corporate and Program Induction – giving an overview of Victor Harbor Horse Tram and covering relevant policies
  - Volunteer Services Induction – outlining things such as volunteer rights and responsibilities, Victor Harbor Horse Tram Authority responsibilities, Work Health and Safety, insurances, confidentiality, principles of volunteering, training requirements and the Volunteer Protection Act.
  - Role/Site Specific Induction – including roles and tasks, worksite orientation, emergency procedures, site specific training and continuous improvement.
- Section 31 of the Children and Young People (Safety) Act 2017 requires that a mandated reporter or notifier must report or notify the Department for Child Protection if they suspect on reasonable grounds that a child or young person is, or may be, at risk of harm, when the suspicion is formed in the course of their employment (whether paid or voluntary). Volunteers who are *mandated notifiers* i.e. working directly with children, or who have direct responsibility for, or direct supervision of services to children will be required to undergo a *criminal history assessment* and obtain training in mandatory reporting to ensure that they are able to meet their mandatory reporting obligations.
- Volunteers who are in *prescribed positions* i.e. working with *vulnerable people* or have access to personal records relating to children, will be required to undergo a *criminal history assessment* to determine their suitability for the role and to undertake mandatory training for the role.

The assessment of *criminal history assessments* will be based on principles of natural justice and procedural fairness, documented and consistently applied.

## 8. Implementation/Delegations

The General Manager of the Victor Harbor Horse Tram Authority is provided with the delegated authority to implement this Policy.

## 9. Related Documents

- "Volunteer Management in Local Government", Local Government Association of SA.
- "Volunteer Workforce Health and Safety Framework; A Guide for South Australian Local Government", July 2014.

## 10. Availability of Policy

This policy is available on Victor Harbor Horse Tram website at [www.horsedrawntram.com.au](http://www.horsedrawntram.com.au). It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

**Note:** Victor Harbor Horse Tram Volunteers will be registered and inducted as City of Victor Harbor volunteers until such time as the Authority takes out the appropriate insurance cover.

### Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA08	3/12/18



# Policy

Policy Name	Records Management
Policy/File Number	ED4.12.012
Review Frequency	Every Two Years or as required by legislation
Attachments	nil

## 1. Purpose

The aim of this Policy is to support the commitment of the Victor Harbor Horse Tram Authority (the Authority), to sound records management practices, ensuring information is managed appropriately and is available to support its functions and operations, meeting legal, evidential and accountability requirements

## 2. Scope

This Policy applies to all Board Members, employees, volunteers, contractors and sub-contractors working on behalf of the Authority.

All records and information, both new and existing, of any format, generated or received in the conduct of Authority business are within the scope of this policy.

## 3. Policy Statement (Summary)

The Authority recognises the value of information and records to its operations and performance, and considers it a core strategic asset that needs to be actively managed and maintained across the organisation.

## 4. Legislation and Compliance

The Authority is a subsidiary of the Council established under Section 42 of the Local Government Act 1999. Section 3.1.2.5 of the Victor Harbor Horse Tram Authority Charter requires the General Manager of the VHHTA to ensure that records required under the Act or in other legislation are properly managed and maintained.

The Authority is required to comply with the State Records Act 1997 (the Act). It must ensure that official records in its custody are maintained in good order and condition. This obligation applies to the capture, storage, maintenance and disposal of physical and electronic records.

The Authority is obliged to keep adequate records in order to fulfil its responsibilities under other acts such as the Freedom of Information Act 1991. Records may also be required by Royal Commissions, the Ombudsman, the Courts, auditors and other people or bodies to whom or which they may be subject.

In accordance with Section 17 of the State Records Act, if a person, knowing that he or she does not have proper authority to do so, intentionally damages or alters an official record, or

disposes of an official record or removes an official record from official custody, that person commits an offence under the Act (Maximum penalty: \$10,000 or imprisonment for 2 years).

*Relevant Legislation*

State Records Act 1997

Freedom of Information Act 1991

Local Government Act 1999

Ombudsman Act 1972

Independent Commissioner Against Corruption Act 2012

Whistleblowers Protection Act 1993

Copyright Act 1968

Evidence Act 1929 (as amended)

Electronic Transactions Act 2000

## 5. Definitions

**Continuing Value** – records of continuing value are those that contain information that is of administrative, legal, fiscal, evidential or historical value to the Authority.

**Victor Harbor Horse Tram Authority Business** – May include the provision of services and the delivery of programs, development of policies, making of decisions, performance of Authority functions and other similar types of activities.

**Authority Staff** - persons employed (full time, part time and casual), volunteers, trainees, work experience placements, independent consultants and contractors and other authorised personnel offered access to the Authority's resources.

**Board Member** – a member of the Victor Harbor Horse Drawn Tram Authority's board of management.

**Disposal of** – to dispose of a record means:

Transfer and retention of permanent records at the State Records storage facility;

Transfer of temporary records to temporary storage;

Destruction of records no longer required for current administrative purposes in accordance with an approved disposal schedule (and once the minimum retention period has been met);

Transfer of ownership and custody of a record to a non-government entity.

**Normal Administrative Practice** - a provision for the routine destruction of drafts, duplicates and publications created, acquired or collected by Authority staff in the course of their official duties, with the test that it is obvious that no information of more than transitory or temporary value will be destroyed.

**Record** – AS-ISO 15489-1:2002 defines a record as "information created, received, and maintained as evidence and information by an organization or person, in pursuance of legal obligations or in the transaction of business". This information can take any form (for example, written documents, metadata in a software program, audio- or video tapes, digital files on a DVD or CD, e-mails, social media and other forms), but is always connected to a business process. Conversely, if a record is missing, a business process or legal procedure cannot be fully reconstructed.

## 6. Policy Content

### 6.1 Obligations of Record Users

All Victor Harbor Horse Tram Authority staff have a responsibility to ensure records are created, captured and managed.

The records and information of the Authority will be managed in accordance with relevant legislation and regulations, Authority approved policies, guidelines and procedures, reflecting best practice standards.

The Authority is committed to capturing and preserving records and information that is of significant historical or cultural value to Victor Harbor and the State.

### **6.2 Records Security**

The Horse Tram Authority is committed to ensuring access to data and information is one of openness and transparency, while ensuring that access to sensitive and personal information is handled responsibly.

### **6.3 Disposal of records**

Records will be retained and disposed of according to the approved records disposal schedule and Normal Administrative Practice.

## **7. Risk Management**

This Policy addresses legislative risk and promotes a consistency in the creation, storage and access of records, in order to prevent unauthorised access, destruction, alteration or removal of Authority records.

## **8. Implementation/Delegations**

The Victor Harbor Horse Tram Authority General Manager is the delegated authority to implement this Policy.

## **9. Related Documents**

Charter of the Victor Harbor Horse Tram Authority  
Records Management Procedures – Victor Harbor Horse Tram Authority  
What is a Record – Fact Sheet  
Records File Structure Document – Victor Harbor Horse Tram Authority

## **10. Availability of Policy**

This policy is available on Victor Harbor Horse Tram website at [www.horsedrawntram.com.au](http://www.horsedrawntram.com.au). It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

### **Document History**

<b>Version</b>	<b>Document</b>	<b>Action</b>	<b>Date</b>
1.0	Approved version	VHHTA008	3/12/18
1.0	Reapproved	VHHTA243	8/6/2021





# POLICY

Policy Name	<i>Communications Policy</i>
Policy/File Number	ED4.12.012
Review Frequency	Every Three Years
Attachments	<i>nil</i>

## 1. Purpose

The purpose of this policy is to set out how the Victor Harbor Horse Tram Authority undertakes effective communication to the community and wider audience on a variety of aspects of the Authority's role as defined within the Charter, business, operations and policy.

## 2. Scope

The Victor Harbor Horse Tram Authority Board Members and Horse Tram Staff must comply with the provisions of this policy.

## 3. Policy Statement (Summary)

The Victor Harbor Horse Tram Authority is committed to working with the media to ensure all relevant items are communicated in a timely and accurate manner.

## 4. Legislation and Compliance

*Section 62 of the Local Government Act*

## 5. Definitions

**Board Member** means at any time a member of the Board appointed in accordance with Subclause 2.9 of the Victor Harbor Horse Tram Authority Charter.

**General Manager** means the General Manager of the Authority and includes a person acting in that position.

**CEO** means the Chief Executive Officer of the City of Victor Harbor

## 6. Policy Content

### 6.1 Media Comment and Press Release

The General Manager and the Chairperson are the only authorised spokespersons of the Authority for media comment and press releases regarding the Victor Harbor Horse Tram business, operation and policies. Press releases, advertising, notifications, signage and public commentary will be authorised by the General Manager of the Authority before publication.



## 6.2 General Community Communication

The use of a variety of mediums, including (but not limited to) the Victor Harbor Horse Tram website, signs, notice boards, emails, social media, newspaper, radio, television, newsletters and advertising are available and may be used to inform stakeholders of a variety of Victor Harbor Horse Tram information, operations and strategic directions.

All communication must adhere to the principles of:

- Balance and honesty
- Openness and transparency
- Achieving the aims and supporting the objectives of the Victor Harbor Horse Tram Authority and the community.

When using social media in issues relating to the Victor Harbor Horse Tram or the Authority, Staff and Boards Members are expected to:

- Seek prior authorisation from the General Manager
- Adhere to the Victor Harbor Horse Tram Code of Conduct for Board Members, policies and procedures.
- Behave with caution, courtesy, honesty and respect.
- Comply with relevant laws and regulations
- Reinforce the integrity, reputation and values of the Victor Harbor Horse Tram Authority
- Refrain from bringing the Victor Harbor Horse Tram Authority into disrepute
- Personal social media accounts do not necessarily reflect the view of the Victor Harbor Horse Tram Authority.

Note: The General Manager cannot authorise public communication, publication or release of any documents or part of a document if:

- The document or part relates to a matter of a kind referred to *in Section 90 of the Local Government Act 1999*, or
- The Victor Harbor Horse Tram Authority orders that the document or part be kept confidential.

## 7. Risk Management

This Policy endeavours to promote high ethical standards and professional behaviour by the Board Members and fulfils the Victor Harbor Horse Tram Authority Charter.

## 8. Implementation/Delegations

The General Manager of the Victor Harbor Horse Tram Authority is provided with the delegated authority to implement this Policy

## 9. Related Documents

Local Government Act  
Victor Harbor Horse Tram Authority Charter

## 10. Availability of Policy

This policy is available on Victor Harbor Horse Tram website at [www.horsedrawntram.com.au](http://www.horsedrawntram.com.au). It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

### Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA08	3/12/18



# POLICY

Policy Name	<i>Code of Conduct for Board Members</i>
Policy/File Number	ED4.12.012
Review Frequency	Every Three Years
Attachments	<i>nil</i>

## 1. Purpose

The purpose of this policy is to set out the commitment from the Victor Harbor Horse Tram Authority Board Members.

## 2. Scope

The Victor Harbor Horse Tram Authority Board Members must comply with the provisions of the *Local Government Act 1999* and this Code in the performance of public office. It is the personal responsibility of Board Members, as public officer's to ensure that they are familiar with, and comply with, the standards in this Code of Conduct at all times.

## 3. Policy Statement (Summary)

The Authority Board Members will:

- Commit to serve the best interests of the Authority and to discharge their duties conscientiously, to the best of their ability.
- Work together constructively and uphold the values of honesty, integrity, accountability and transparency
- Make every endeavour to ensure that they have current knowledge of statutory, legislative and governance requirements of their role and abide by this Code of Conduct.

## 4. Legislation and Compliance

*Section 62 of the Local Government Act 1999*

## 5. Definitions

**Board Member** means at any time a member of the Board appointed in accordance with Subclause 2.9 of the Victor Harbor Horse Tram Authority Charter.

## 6. Policy Content

### 6.1 Behavioural Code

The Authority Board Members must:

#### 6.1.1 General Behaviour

- Show commitment and discharge duties conscientiously.

## Code of Conduct for Board Members

- Act in a way that generates community trust and confidence in the Authority.
- Act in a reasonable, just, respectful and non-discriminatory way when dealing with people.
- Show respect for others if making comments publicly.
- Ensure that personal comments to the media or other public comments, relating to decisions of the Authority, City of Victor Harbor and/or related matters, clearly indicate that it is a private view, and not that of the Authority.

**6.1.2 Responsibilities as an Authority Board Member**

- Comply with all Victor Harbor Horse Tram Authority policies, codes and resolutions.
- Deal with information received in their capacity as Board Members in a responsible manner.
- Endeavour to provide accurate information to the Authority and to the public at all times.

**6.1.3 Relationship with fellow Authority Board Members**

- Endeavour to establish and maintain a respectful relationship with all Board Members, regardless of differences of views and opinions.
- Not bully or harass other Board Members.

**6.1.4 Relationship with Authority Management Staff**

- Not bully or harass Authority Management staff.
- Direct all requests for information to the General Manager
- Direct all requests for work or actions to the General Manager

**6.1.5 Complaints**

- Any person may make a complaint about a Board Member under the Behavioural Code.
- Complaints about behaviour alleged to have breached the Behavioural Code should be brought to the attention of the Chief Executive Officer of the City of Victor Harbor.
- A complaint may be investigated and resolved in any manner the Board deems appropriate to this Part. This can include, but is not limited to:
  - A mediator or conciliator
  - With the assistance of officer/s of the City of Victor Harbor
  - An independent investigator
- Some complaints may be considered to be trivial, vexatious or frivolous, and accordingly, may not be investigated.
- A failure of a Board Member to cooperate with the process for handling alleged breaches of this Part may be referred for investigation under Misconduct.
- Repeated or sustained breaches of Clause 6.2 by the same Board Member may be referred, by resolution of the Authority, to the relevant authority as a breach of Clause 6.2 (misconduct)

- A breach of Clause 6.1 must be the subject of a report to a meeting of the Authority.

### 6.1.6 Findings

If, following investigation under the complaints handling process, a breach of the Behavioural Code by a Board Member is found, the Authority may, by resolution:

- Take no action;
- Pass a censure motion in respect to the Board Member; and/or
- Request a public apology, whether written or verbal;
- Request the Board Member to attend training on the specific topic found to have been breached; and/or
- Resolve to remove or suspend the Board Member from a position within the Authority (Clause 3.1.5 of the Victor Harbor Horse Tram Authority Charter)

## 6.2 Misconduct

Failure by a Board Member to comply with this Clause constitutes misconduct. The provisions within this Clause may refer to statutory matters under the *Local Government Act 1999*. Any breach of these provisions will be investigated under that legislation.

Any person may report an alleged breach of this Clause to the City of Victor Harbor, the Ombudsman, or the Office for Public Integrity. Alleged breaches of this Clause made to the City of Victor Harbor or to the Office for Public Integrity may be referred to the Ombudsman for investigation under *Section 263 of the Local Government Act 1999*, by the City of Victor Harbor's Chief Executive Officer or by the Independent Commissioner Against Corruption.

A report from the Ombudsman that finds a Board Member has breached this Clause (Misconduct) of the Code of Conduct must be provided to a public meeting of the City of Victor Harbor. The City of Victor Harbor must pass resolutions that gives effect to any recommendations received from the Ombudsman, within two ordinary meetings of the Authority following the receipt of these recommendations.

An investigation under Part 3 of this Code does not preclude an investigation being launched as a potential breach of the criminal matters listed in the Appendix to this document.

### 6.3.1 Members Duties

Board Members must act with reasonable care, diligence and honestly at all times in the performance and discharge of their official duties.

### 6.3.2 Gifts and Benefits

Board Members must not:

- Seek gifts or benefits of any kind;
- Accept any gift or benefit from any person who is in, or who seeks to be in, any contractual relationship with the Authority.
- Board Members may, however, accept hospitality provided in the context of performing their duties including:

- Free or subsidised meals, beverages or refreshments of reasonable value provided in conjunction with:
  - Authority related events such as training sessions, workshops and conferences
  - Authority functions or events

### 6.3.3 Conflict of Interest

Board Members must be committed to making decisions without bias and in the best interests of the whole community and comply with the relevant conflict of interest provisions of the Local Government Act 1999.

### 6.3.4 Misuse of Resources

Board Members must use available resources effectively and prudently, and not use resources, including services of Authority staff, for private purposes, unless legally or properly authorised to do so, and payments are made where appropriate. Board Members must not use public funds or resources in a manner that is irregular or unauthorized.

## 7. Risk Management

This Policy endeavours to promote high ethical standards and professional behaviour by the Board Members and fulfils the Victor Harbor Horse Tram Authority Charter.

## 8. Implementation/Delegations

The General Manager of the Victor Harbor Horse Tram Authority is provided with the delegated authority to implement this Policy

## 9. Related Documents

Criminal Matters  
Local Government Act  
Victor Harbor Horse Tram Authority Charter

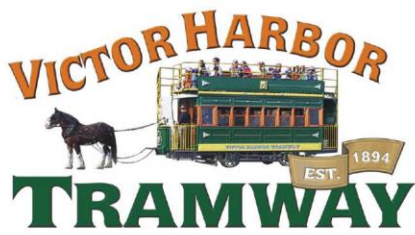
## 10. Availability of Policy

This policy is available on Victor Harbor Horse Tram website at [www.horsedrawntram.com.au](http://www.horsedrawntram.com.au). It may also be inspected or purchased at the Principal Office of the City of Victor Harbor, 1 Bay Road, Victor Harbor.

### Document History

Version	Document	Action	Date
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA06	3 Dec 18





## VICTOR HARBOR HORSE TRAM AUTHORITY

# Code of Practice for Meeting Procedures



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### Introduction

The provision for the conduct of the Victor Harbor Horse Tram Authority and the decision making processes at those meetings are prescribed by the Local Government Act 1999, Schedule 2, Section 21 and Clause 2.4.5 of the Victor Harbor Horse Tram Authority Charter.

Pursuant to Clause 2.7.2 of the Charter a Code of Practice must be adopted by the Authority.

### Code of Practice for Meeting Procedures

- The Board should, at least once in every financial year, review the operation of a code of practice under this regulation.
- The Board may at any time, by resolution supported by at least two-thirds of the members of the board, alter a code of practice, or substitute or revoke a code of practice.
- A person is entitled to inspect (without charge) the code of practice of the Board at the principal office of the City of Victor Harbor during ordinary office hours.
- A person is entitled, on payment of a fee fixed by the Board, to a copy of the code of practice.

### Definition

**The Authority** means the Victor Harbor Horse Tram Authority

**The Board** means the Board of Management of the Authority set out in Clause 2

**Board Member** includes a Council Board Member, an Independent Board Member and a deputy Board Member.

**Chairperson** means the member of the Board appointed pursuant to Clause 2.5.1

**Clear days** means (in relation to giving notice before a meeting):

The calculation of clear days –

- (a) The day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and
- (b) Saturdays, Sundays and public holidays will be taken into account.

**Leave of the meeting** means with the consent of the majority of members present at the meeting by a show of hands.

**Presentation** means a person or group of persons who wish to appear personally before the Board to present information on a particular matter.

**Written Notice** means a notice given in a manner or form determined by the Board.

### Chairperson

The Chairperson is appointed by the Authority on the appointment of independent Board Members.

The Chairperson must preside at all meetings of the Board and, in the event the Chairperson is absent from a meeting, the Deputy Chairperson shall preside and in the event of both the Chairperson and the deputy Chairperson being absent from a meeting, the Board must appoint one of the Board Members present to preside at that meeting only.

Chairpersons and Deputy Chairperson of Sub-Committees may be appointed by either the Board or the sub-committee.

### Board Meetings

Ordinary meetings of the Board will be held at such times and places as determined by the Board except that there must be at least one ordinary meeting of the Board every three months.

An ordinary meeting of the Board will constitute an ordinary meeting of the Authority. The Board shall administer the business of the Authority at the ordinary meeting.

For the purpose of Clause 2.4.4 of the Charter, the contemporary linking together by telephone, audio-visual or other instantaneous means of the Board Members provided that at least a quorum is present, is deemed to constitute a meeting of the Board. Each of the Board Members taking part in the telecommunications meeting, must at all time during the telecommunications meeting be able to hear and be heard by each of the other Board Members present. At the commencement of the meeting, each Board Member must announce his/her presence to all other Board Members taking part in the meeting. A Board Member must not leave a telecommunications meeting by disconnecting his/her telephone, audio-visual or other communication equipment, unless that Board Member has previously notified the Chair of the meeting.

A proposed resolution in writing and given to all Board Members in accordance with procedures determined by the Board will be a valid decision of the Board and will constitute a valid decision of the Authority where a majority of Board Members vote in favour of the resolution by signing and returning the resolution to the General Manager or otherwise giving written notice of their consent and setting out the terms of the resolution to the General Manager. The resolution will be deemed a resolution of the Board and will be as valid and effective as if it had been passed at a meeting of the Board duly convened and held.

Meetings of the Board will be open to the public and Chapter 6, Part 3 of the Local Government Act 1999 extends to the Authority as if the Authority were a council and the Board Members were members of the Council.

### Operating Procedures

#### Conduct of Meetings

In general, meeting procedures are flexible however the Chairperson should ensure that:

- The business of the meeting is conducted in a proper and orderly manner
- The views of the meeting on the business before it are determined (in accordance with the Board Charter and this document)
- All members who wish to contribute to the debate have an opportunity to do so
- All motions are legal, clear and able to be implemented
- The discussions are kept to the subject being discussed and irrelevant and repetitious discussions are prevented.

If a member needs to leave the room, he or she should indicate this to the Chairperson. This will provide the minute taker the opportunity to record who leaves the meeting including for the purpose of Declaration of Conflict of Interests.

#### Quorum

A meeting of the Board must not commence until a quorum of Board Members is present and a meeting must not continue if there is not a quorum of Board Members present. A quorum of Board Members will comprise one half of the Board Members in office, ignoring any fraction, plus one.

### Commencement of meetings

A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

If the number of apologies received by the General Manager indicates that a quorum will not be present at a meeting, the General Manager may adjourn the meeting to a specified day and time.

If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the Chairperson will, adjourn the meeting, to a specified day and time.

If a meeting is adjourned for want of a quorum, the General Manager will record in the minutes the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

If a meeting is adjourned to another day, the General Manager must –

- Give notice of the adjourned meeting to each member setting out the date, time and place of the meeting; and
- Give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the Authority.

### Apologies

Apologies for a Board meeting should be provided to the General Manager prior to the Board meeting commencing and will be recorded in the Minutes.

### Public Access to Board Meetings

All meetings must be held in public except in special circumstances set out in Section 90 of the Local Government Act 1999.

The General Manager may indicate on a document or report provided to Board Members under Clause 2.4.7 any information or matter contained in or arising from a document or report that may, if the Board determines, be considered in confidence in accordance with Clause 2.4.11 provided that the General Manager at the same time specifies the basis on which an order could be made pursuant to the provisions of Chapter 6 Part 3 of the Act.

Clause 2.4.10 of the Charter does not apply to a document or report:

- That is subject to the operation of Clause 2.4.11; or
- That relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 2.4.3 and Chapter 6 Part 3 of the Act.

### Notice of Ordinary or Special Board Meetings

Subject to Clause 2.4.9 of the Charter, notice of an ordinary meeting of the Board will be given by the General Manager to each Board Member not less than three (3) clear days prior to the holding of the meeting.

The General Manager must, in relation to a notice of meeting of the Board for the purpose of considering the making of a recommendation to the City of Victor Harbor to wind up the Authority, provide the notice to all Board Members at least four (4) months before the date of the meeting.

Notice of a meeting of the Board must:

- be in writing; and
- set out the date, time and place of the meeting; and
- be signed by the General Manager; and
- contain, or be accompanied by, the agenda for the meeting.

The City of Victor Harbor, the Chairperson or two (2) Board Members may by delivering a written request to the General Manager require a special meeting of the Board to be held and any such special meeting shall constitute a special meeting of the Authority. The written request must be accompanied by the agenda item/s for the special meeting and if an agenda is not provided the request has no effect.

On receipt of a written request pursuant to Clause 2.4.7, the General Manager and Chairperson must determine the date and time of the special meeting and the General Manager must give notice to all Board Members at least four (4) hours prior to the commencement of the special meeting.

### **Notice of a Meeting to Board Members**

Notice of a meeting to Board Members may be given:

- personally; or
- by email to an email address authorised by the Board Member in writing; or
- by delivering the notice (whether by post or otherwise) to the usual place of residence of the Board Member or to another place authorised in writing by the Board Member; or
- in the case of a Council Board Member by leaving the notice for the Board Member at an appropriate place at the principal office of the City of Victor Harbor which appointed the Board Member; or
- by a means authorised in writing by the Board Member as being an available means of giving notice.

A notice that is not given in accordance with Clause 2.4.7 is taken to have been validly given if the General Manager considers it impracticable to give the notice in accordance with that Clause and takes action the General Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Board Member.

The General Manager must sign all Authority 'Notices of Meetings' and approve the agenda (including reports) prior to distribution.

The General Manager must ensure that an official record of all 'notices of meetings' including the agenda and minutes are maintained.

All Board Members must authorise in writing where the General Manager should deliver their notice of meeting and agenda.

### **Notice of a Meeting to the Public**

General Manager must give notice to the public of the times and places of ordinary meetings of the Board at least three (3) clear days prior to the holding of the meeting by causing a copy of the notice and agenda for the meeting to be placed on public display at the principal offices of the City of Victor Harbor and the Authority on the Victor Harbor Horse Tram website.

### **Agenda**

The Notice of meeting and the agenda which includes copies of any documents or reports that are to be considered at the meeting will be provided to Board Members in either hard copy or electronic/digital format and provided on the Victor Harbor Horse Tram website as soon as practicable after providing to Board Members.

Note: it may be necessary to send supplementary agenda items to Members should urgent business items be required, this may be via Notice of Motion.

The General Manager must maintain a record of all notices of Board meetings given under Clause 2.4.8 to Board Members.

### **Order of Business**

The order of business is as set out in the example Agenda template (Attachment 1).

The Chairperson at their discretion or at the request of a Member of Board may bring forward items for debate.

### **Majority Decision Making and Voting**

- 1) All matters for decision at a meeting of the Board will be decided by simple majority of the Board Members present and entitled to vote on the matter.
- 2) All Board Members including the Chairperson present and entitled to vote on a matter are required to vote.
- 3) Where the votes are equal the Chairperson or other Board Member presiding at the meeting does not have a second or casting vote.

### *Procedures*

A person who is not at the meeting may be permitted to vote either through a telecommunications meeting or by signing a written document containing the resolution and returning to the General Manager.

Tied votes – In the event that a vote is tied the matter may be adjourned for further consideration at a future meeting, or be referred to the parent body for deliberation ie the City of Victor Harbor can consider the matter.

### **Confidentiality**

All Board Members must at all times keep confidential all documents and reports provided to them for their consideration prior to a meeting of the Board that is subject to the operation of Clause 2.4.12.1 or that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 2.4.12.2 and Chapter 6, Part 3 of the Act.

### **Duration of Board Meetings**

After 4 hours the Chairperson will take a vote on whether to continue with the meeting or adjourn the remaining business.

### Minutes

The General Manager must cause minutes to be kept of the proceedings at every meeting of the Board and ensure that the minutes are presented to the next ordinary meeting of the Board for confirmation. Where the General Manager is absent or excluded from attendance at a meeting of the Board pursuant to Clause 2.4.14, the person presiding at the meeting shall cause the minutes to be kept.

The General Manager must, within five (5) days after a meeting of the Board provide to each Board Member a copy of the minutes of the meeting of the Board.

Subject to Clause 2.4.14, a copy of the minutes of a meeting of the Board must be placed on public display at the principal offices of the City of Victor Harbor and the Authority on the Victor Harbor Horse Tram website within five (5) days after the meeting and kept on public display for a period of one (1) month.

Clause 2.4.14. does not apply to the minutes of a meeting of the Board that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 2.4.14 and Chapter 6 Part 3 of the Act.

### Procedures

- 1) On the confirmation of the minutes, the presiding member will—
  - (a) initial each page of the minutes, which pages are to be consecutively numbered; and
  - (b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.
- 2) The minutes of the proceedings of a meeting must include—
  - (a) the names of the members present at the meeting and any apologies; and
  - (b) in relation to each member present—
    - (i) the time at which the person entered or left the meeting; and
    - (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
  - (e) each motion/resolution; and
  - (f) whether a motion is carried or lost; and
  - (g) any disclosure of interest made by a member; and
  - (h) details of the making of an order under Section 90 of the Act ; and
  - (i) a note of the making of an order under subsection (7) of section 91 of the Act.
  - (j) details of any adjournment of business; and
  - (k) a record of any request for documents to be tabled at the meeting; and
  - (l) a record of any documents tabled at the meeting; and
  - (m) a brief description of any oral briefing given to the meeting on a matter of Board business; and
  - (n) any other matter required to be included in the minutes by or under the Act or the Charter.

The Minutes will also be available on the Authority website as soon as practicable after the minutes are given to members of the Board.

### Presentations



Presentations may be made as an opportunity for an organisation, Council officer(s) or member of the public to provide the Board with information relevant to a matter currently under consideration or relevant to the Board purpose (refer Charter). The duration is up to 10 minutes and generally is limited to one presentation per meeting.

### *Procedures*

*If notes or other documents are to be distributed for the presentation copies are to be provided to the Minute Secretary prior to the commencement of the meeting for distribution.*

- A person or persons wishing to make a presentation at a meeting must deliver the request in writing to the General Manager.
- The General Manager will consult with the Chairperson prior to placing on the agenda.
- The Chairperson with the consent of the majority of Board Members may refuse to allow a presentation.

### **Motions without Notice**

A member may also bring forward any business by way of a resolution without notice. The Chairperson may refuse to accept a motion without notice if, he or she considers that the motion should be dealt with by way of a written notice of motion.

### **Examples:**

*To maintain an open and transparent approach to governance these motions should be restricted to matters closely related to agenda items, house-keeping issues or matters of urgency.*

*When in the opinion of the Presiding Member, the motion will require action involving the expenditure of unbudgeted resources a Motion on Notice may be requested.*

### **Matter of urgency**

A member may raise a matter of urgency.

The standard agenda item provides for Members to raise 'matters of urgency'.

It is recommended that the General Manager and other Board Members are notified prior to the meeting via email of matters that are intended to be raised through this item.

### **Tabling of information**

A member may require the General Manager to table any documents of the Board relating to a resolution that is before a meeting (and the General Manager must then table the documents within a reasonable time, or at a time determined by the Chairperson after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the resolution until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

The General Manager may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under section 90 or 91 of the Act.

### **Adjourned Business**

A Member may resolve to adjourn an item of business, with leave of the meeting, to a later hour of the same day, to another day, or to another place.

### **Late Correspondence**

Correspondence received after the preparation of the agenda will not be considered at the meeting to which the agenda refers, unless the General Manager in consultation with the Chairperson considers that the correspondence is sufficiently urgent to warrant consideration. Urgent matters will be pursued through 'Matters of Urgency' on the agenda.

### **Established Meetings of the Board**

When a regular meeting date and time has been established by the Board dates for the year should be publicised on the Victor Harbor Horse Tram website.

### **Attendance at Board Meetings**

The Chief Executive Officer may attend any meeting of any Board or nominate a Senior Officer of the Councils to act in his/her place for any particular occasion or purpose. The Chief Executive Officer or his/her nominee shall not have voting rights.

Deputy Board members are encouraged to attend all meetings, however, will not be counted as part of the quorum or vote unless their Council's Member is absent.

### **Record of Meetings**

Filming, photography and audio recording may take place at a Board meeting when the public and media are not lawfully excluded under Section 90 of the Local Government act 1999 (confidentiality provisions).

No person is permitted to record confidential items of Board Meetings.

### *Procedures*

While no prior approval is required to film, photograph or audio record Authority meetings, the Authority requests that any persons (members of the public, elected members, board members and the media) make their intention to record the meeting known to the General Manager or the Chairperson.

Those members of the public recording the meeting will be required to do so from a dedicated area within the public gallery.

The board respectfully requests that those recording a meeting not film, record or photograph the public gallery.

While the Board will make every effort to protect members of the public who actively object to being filmed, photographed or recorded, it cannot guarantee the actions of those filming. Other members of the public who don't wish to be filmed or photographed will also be encouraged to sit in the back rows of the gallery.

Additionally, recording should not be conducted in a manner that could intimidate a Board member from expressing their views and/or performing their functions as members of the Board.



**Appropriate use of recordings**

The Board expects that those people recording Board meetings will not edit the recordings, film or photographs in a way that could lead to the misinterpretation of the proceedings. This includes refraining from editing an image, or views expressed by those participating in the meeting, in a way that may ridicule, or show lack of respect towards those being photographed, filmed or recorded.

Members of the media will be required to conduct themselves in accordance with the Media, Entertainment and Arts Alliance – Journalists’ Code of Ethics ([www.alliance.org.au/code-ofethics.html](http://www.alliance.org.au/code-ofethics.html)).

**Interruption or interference of Meetings**

It is an offence under the legislative provisions for any person including the media to interrupt a meeting or to obstruct or interfere with a person seeking to attend the meeting or any of the proceedings at the meeting.

An interference includes, but is not restricted to, the following:

- Obstructing the public gallery area.
- Interfering with a person attending the meeting or any of the proceedings of the meeting including the Chairperson in the organisation or conduct of the meeting.
- Causing a nuisance, as to disrupt the concentration and/or contribution of persons participating and presenting at the meeting ie
  - Excessive noise including in recording or setting up equipment during the meeting;
  - Taking up unreasonable space in the gallery area;
  - Intrusive lighting or use of flash photography;
  - Asking people to repeat statements for the purpose of recording;
  - Providing an oral commentary during the meeting;
  - Behaving in a disorderly, indecent, offensive, threatening or insulting manner;
  - Refusing a reasonable direction of the Chair

The Chairperson of a meeting will use all options available to them to ensure proper meeting conduct. Those who interfere with the good order of the meeting can be excluded from the meeting if they do not desist.

**Facilities**

Third parties will not have access to the Authority’s recording equipment or facilities.

**Document History**

Version	Document	Action	Date
3.0	Internal approval	Typographical errors in paragraph 1 on page 7, paragraph 2 on page 9 and paragraph 3 on page 11	25 Sept 19
2.0	Internal approval	Typographical errors in paragraph 3 on page 6	23 Jan 19
1.0	Approved version	Victor Harbor Horse Tram Authority endorsement VHHTA07	3 Dec 18

Victor Harbor Horse Tram Authority  
 Board Meeting Agenda  
 For meeting Tuesday, xx / xx / xxxx  
 Commencing at 3:00pm



**1. Open Meeting/Welcome**

**2. Attendance**

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

Megan Whibley (General Manager VHHTA)  
 Tamar Herron (Minute Secretary VHHTA)

Karen Rokicinski (Director Corporate and Customer Service)

**3. Apologies**

Nil

**4. Minutes of Previous meeting**

4.1 Board Meeting Minutes Report

3

**5. Adjourned Item(s)**

Nil

**6. Reports for Receiving and Noting only**

6.1 Resolutions Register Report

6.2

6.3

**7. Reports for Decision**

7.1

7.2

7.3

**8. Presentation(s)**

Nil

**9. Discussion Items – No decision(s)**

Victor Harbor Horse Tram Authority  
Board Meeting Agenda  
For meeting Tuesday, xx / xx / xxxx  
Commencing at 3:00pm



9.1

**10. Correspondence Received**

Nil

**11. Urgent Business without Notice**

Nil

**12. Confidential Reports**

Nil

**Next Meeting**

Tuesday, xx / xx / xxxx, 3pm – Encounter Room

**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.*
  
- *To comply with COVID-19 physical distancing requirements, places in the public gallery are limited and will be filled on a 'first in' basis.*



8 August 2023	TBC	3.00pm
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## Commentary

The VHHTA has become aware that the meeting to be held on 8 August 2023 falls very close to the 24 July 2023 meeting. A meeting date change to later in August 2023, is likely to provide a more productive meeting and a dense Agenda.

The VHHTA Charter states at provision 2.4;

*2.4.1 A meeting of the Board must be held at times and intervals as determined by the Board, provided that the Board meets at least six times in every twelve months.*

The VHHTA Code of Practice for Meeting Procedures states at page 4;

*Ordinary meetings of the Board will be held at such times and places as determined by the Board except that there must be at least one ordinary meeting of the Board every three months.*

A Board Meeting endorsed for late August 2023 will be within three months of the previous Board Meeting and a change of Board Meeting date may be made by the determination of the Board.

## RISK ASSESSMENT

**Governance** – the recommendation meets the requirements of the Charter, relevant legislation and the Code of Practice for Meeting Procedures. The risk has been assessed as **low**.

## REFERENCES

VHHTA Charter

VHHTA Code of Practice for Meeting Procedures

## BUDGET IMPLICATIONS

There are no budget implications in rescheduling the 8 August 2023 Board meeting to later in August.