



TOMAREE RATEPAYERS AND RESIDENTS ASSOCIATION CONSTITUTION

1. Name:

The name of the organization shall be the Tomaree Ratepayers and Residents Association ("The Association").

2. Geographical Coverage:

The geographical area covered by the Association is the Tomaree Peninsula, including the localities of Fingal Bay, Shoal Bay, Nelson Bay, Corlette, Soldiers Point, Salamander Bay, Taylors Beach, Boat Harbour, Fisherman's Bay and Anna Bay. (See attached map, East and Central Wards)

3. Objects:

The objects of the Association are

- To act and be a representative voice for the ratepayers and residents of the Tomaree Peninsula, in all matters that will to enhance and protect their residential amenity and the local environment, both natural and built.
- To provide a forum for discussion of the critical issues and needs of the local area.
- To be a conduit of communication between the community to its elected Councillors and Port Stephens Council on strategic matters and in decision-making, and to assist Councillors and Council to better understand community priorities and needs.
- To work with other community associations in the Port Stephens Local Government Area on issues of general concern.
- To communicate with bodies outside the local area such as state and federal governments and private organizations in relation to matters impacting on the Tomaree community.

4. Membership:

Membership will be open to:

1. Ratepayers and residents of the Tomaree area, who complete the membership application form and pay the membership fee as determined by the Management Committee of the Association.
2. Associate membership may be granted, by the Management Committee, to other similar Associations or Organisations who may join as a group in lieu of on an individual basis.
3. Clause 2 above does not prevent any individual from being a member, in his/her own right of both Associations and Organisations.

5. Cessation of Membership:

A person ceases to be a member of the Association:

- If the person resigns that membership, or
- Is unfinancial at the expiration of 3 months following each Annual General Meeting.

6. Membership Fee

The annual membership is \$10 per individual or such sum as determined by the Management Committee and ratified by a majority in a general monthly meeting. Fees fall due at each Annual General Meeting or upon application for membership.

Each person joining can, if they choose, nominate any other member of their household as a non-voting member.

7. Register of Members:

The Coordinator of the Association shall establish and maintain a register of members of the Association specifying:

- The name and address of each person who is a member.
- Their telephone number and email address.
- The date on which the person became a member.

8. Non-Profit Organisation

The assets and income of the Association shall be applied solely to further the above objects and no part shall be distributed directly or indirectly to the members except as bona fide compensation for expenses incurred on behalf of the Association.

9. Management

- The management of the Association shall be conducted by a Management Committee consisting of a Chairperson, Assistant Chairperson, Coordinator, Treasurer, and up to eight other members.
- The Chairperson will have the casting vote on any issue where the vote is equally divided by the meeting.
- Any casual vacancy occurring in the Management Committee may be filled by a member appointed by the Management Committee.
- Specialist positions may be appointed by the Management Committee as required.
- The Management Committee may appoint sub-committees with such powers as are specified.
- Sub Committees will report directly to the Management Committee or as directed and approved by the Management Committee. Membership of sub-committees need not be confined to members of the Association.
- The Management Committee may appoint specific individuals to assist in the administration of the Association.

10. Elections:

The Management Committee comprising the Chairperson, Vice Chairperson, Coordinator, Treasurer and Committee members shall be elected at an Annual General Meeting held in October of each year, or such date as selected by the Committee.

- The conduct of the election shall be completed by a Returning Officer appointed by the Management Committee.

All members (who are entitled to vote in accordance with Clause 13) present at the Annual General Meeting (AGM) shall be entitled to vote for the election of Management Committee members.

- All nominations for Management Committee members shall be lodged with the Returning Officer

- no later than seven days prior to the AGM and the list of nominations shall be advised to members prior to the AGM, by email if registered in the records of the Association or otherwise distribution upon arrival at the AGM.
- The nominee, nominator and seconder must be financial members.

11. Responsibilities of Office Bearers

- The Chairperson, or in the Chairperson's absence, the Assistant Chairperson shall act as Chair at each General and Committee Meeting.
- If both are unable to act, the Committee Members present will elect one of their number to act in this role.
- The Coordinator will keep the record of business of the Association including the Constitution, Register of Members, appointments of Office Bearers, minutes of and attendance at General and Committee Meetings, and Correspondence.
- The Minutes Secretary, if this position is appointed, will record the Minutes of each General and Committee meeting and distribute, as appropriate.
- The Treasurer shall ensure that:
 - All money due to the Association, including membership fees, is collected and received and that all payments authorized by the Association are made.
 - That correct books and accounts are kept showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association and the financial status of members of the Association.
 - These records shall be made available for inspection by any member and for audit.
- The Management Committee shall control and manage the affairs of the Association and exercise such functions other than those that are required by these rules to be exercised by a general meeting of members of the Association.

12. Meetings

- General meetings of the Association will be held monthly from February to November on a regular day selected by the Management Committee. Notice of each meeting will be advised to each member no later than

seven days before the meeting. The quorum at general meetings is ten members.

- All Association meetings, other than Management and Sub- Committee meetings are open to the general public. However non-members may attend only as observers. They may only speak if they are invited to do so by the members through the Chair. They may not vote on any matter or motion put to the meeting.
- The Annual General Meeting (AGM) will be held immediately prior to a monthly general meeting. Notice of the meeting should be provided to each member at least fourteen days prior to it, and by way of notice or advertisement in the local paper. The following business shall be transacted at the AGM:
 - Recording of Members Present and Apologies
 - Confirmation of Minutes of the last AGM:
 - Business arising from these minutes
 - Chairperson's report on activities of the previous year
 - Treasurer's Annual report
 - Conduct of Election of Office Bearers by Returning Officer
 - General Business of which notice has been given.
- A special general meeting of the Association can be called by the Management Committee when it thinks fit or on receipt of a written request by six or more financial members. A special general meeting will be called within 28 days of such a request.
- Management Committee meetings shall be held two weeks prior to each General Monthly Meeting or at other dates as determined by the Management Committee.
- No item of business shall be transacted at any meeting unless a quorum of members entitled to vote is present when the item is being considered.

13. Voting

- Where a matter being discussed at a meeting requires determination by voting this will be done by a show of hands, with the number of votes for and against the matter recorded in the minutes.
- Each member shall be entitled to one vote. In the event of equality of voting the Chairman may exercise a casting vote.

- Normal rules of conduct of meeting shall apply at all meetings held under the constitution and in this respect the ruling of the Chairperson or in his/her absence the Chairperson at the time shall be final.

14. Finance

- The financial year of the Association shall end on 30 June.
- The funds of the Association shall be derived from subscriptions of members, donations and, subject to any resolution passed by the Association in general meeting, such other sources as the Management Committee determines.
- Subject to any resolution passed by it in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the Management Committee determines.
- All moneys shall be deposited in the Association's banking account with an APRA approved financial institution determined by the Management Committee.
- Cheques are to be signed by two of three designated signatories - the Treasurer, the Chairperson or one other Management Committee member nominated each year by the Management Committee.
- The Treasurer shall keep proper books of account and shall report on the state of the accounts to each Monthly and Annual General Meeting.
- At the end of the financial year the books of account are to be presented to an Honorary Auditor for auditing before the Annual General Meeting.

15. Amendment of the Constitution

This Constitution may be amended by a 75% majority of eligible voters at an Annual General Meeting, provided that fourteen days notice of the proposed resolution for amendment has been given to all members.

Amendment No 1 AGM 27 October 2008

Amendment No 2 AGM 11 October 2010

