

CONSTITUTION

FRIENDS OF KATOOMBA FALLS CREEK VALLEY

CONSTITUTION

Adopted July 15, 1990

1. DEFINITIONS

- 1.1 "resident of the Blue Mountains" means a person who resides continuously within the City of the Blue Mountains or a person whose frequency of residence within the City of the Blue Mountains is, on average, not less than 4 days per month.
- 1.2 "working group" means the group of members of that name appointed in accordance with clause 13.

2. NAME

- 2.1 The name of the organisation shall be The Friends of Katoomba Falls Creek Valley.

3. OBJECTS

- 3.1 To ensure that the natural environment of Katoomba Falls Creek Valley is protected from Damaging development
- 3.2 To ensure that the public lands in the Katoomba Falls Creek Valley remain public lands in perpetuity and are managed in such a way that the natural environment of the valley is protected from damaging development
- 3.3 To ensure that the Katoomba Falls Creek, feeder creeks and associated hanging swamps and valley swamps be unpolluted
- 3.4 To ensure the public lands in the Katoomba Falls Creek Valley be given environmental protection zoning, especially the Frank Walford Park section and the middle section known as Katoomba Falls Reserve, and be included in the Stage I Environmental Management Plan, as environmentally sensitive lands
- 3.5 To ensure the rehabilitation of scoured, eroded and damaged areas of the Katoomba Falls Creek Valley, especially in the Frank Walford Park and middle sections of the valley, and especially the swamps, with special attention to elimination of exotic weeds and plant pests and to promote revegetation.

- 3.6 To ensure that no forms of motor vehicle racing are held in the Frank Walford Park section of Katoomba Falls Creek Valley, and that recreation uses of the valley be consistent with protecting the natural environment of the valley.

4. STATUS

- 4.1 The Friends of Katoomba Falls Creek Valley is a non-profit organisation. The property and income of the organisation shall be applied solely towards the objects of the organisation and no part of the property or income shall be applied for the benefit of any member.

5. MEMBERSHIP

- 5.1 Any person who agrees in writing to be an active member and with the objects of the organisation is qualified to be a member
- 5.2 Every member shall be a resident of the Blue Mountains
- 5.3 A member shall attend at least three general meetings members per year to establish active membership of the organisation, except in the case of illness or disability.

6. CEASING MEMBERSHIP

- 6.1 A person shall cease to be a member when the person resigns or is expelled

7. EXPULSION OF MEMBERS

- 7.1 A member may be expelled by a resolution on the basis that:
- (i) the member has ceased to be an active member; or
 - (ii) the member has acted in ways detrimental to the organisation
- 7.2 In either case written notice of the proposed resolution shall be sent to the member 14 days before the date at which the resolution is to be moved, and he or she shall be given a reasonable opportunity of being heard at the meeting.

8. GOVERNMENT

- 8.1 A general meeting of members, known as the annual general meeting, shall be held every twelve months.
- 8.2 All general meetings of members other than the annual general meeting shall be ordinary general meetings.
- 8.3 An ordinary general meeting shall be convened by a previous ordinary general meeting or by the working group if the meeting is requested by at least one-tenth of the members.

9. NOTICE OF GENERAL MEETINGS

- 9.1 At least 14 days notice shall be given of any general meeting, specifying when and where the meeting is to be held and the business to be dealt with.

10. BUSINESS OF GENERAL MEETINGS

- 10.1 The business of the annual general meeting shall be
- (i) to confirm the record of the last annual general meeting
 - (ii) to receive annual reports
 - (iii) to elect the working group
 - (iv) to deal with any other business of which notice has been given.
- 10.2 The business of ordinary general meetings shall be
- (i) to confirm the record of the last meeting
 - (ii) to receive reports
 - (iii) to determine policy and to direct the working group to implement policy
 - (iv) to deal with any other business of which notice has been given

11. QUORUM AT GENERAL MEETINGS

- 11.1 Ten members present in person are a quorum.

12. CHAIRPERSON AT GENERAL MEETINGS

- 12.1 The chairperson at general meetings may be appointed each year at the annual general meeting or, if this has not been done or the elected chairperson is not present, then the members present at a general meeting may choose a chairperson.

13. WORKING GROUP

- 13.1 There shall be a working group of eight active members elected each year at the annual general meeting for one year only.
- 13.2 The organisation may by resolution at a general meeting remove any or all of the working group.
- 13.3 Any vacancy arising on the working group will be filled by a general meeting.
- 13.4 The working group shall act as the executive of the organisation, acting with agreed policy, within the powers delegated to it by general meetings, and implementing directions from general meetings.
- 13.5 The working group shall appoint one of its members to act as treasurer of the organisation and one of its members to act as secretary of the organisation.
- 13.6 The working group shall meet whenever they think fit and regulate their meetings as they think fit.
- 13.7 A quorum at working group meetings shall be four members.

14. RECORDS

- 14.1 The working group shall ensure that a record is kept of all general meetings and of all meetings of the working group.
- 14.2 The working group shall ensure that a record is kept of the financial affairs of the organisation.
- 14.3 All monies of the organisation shall be paid into a bank account, of which three members of the working group shall be signatories.

15. DECISION-MAKING

- 15.1 At general meetings and at working group meetings each member shall have one vote only.
- 15.2 In the case of equal votes on a question, the chairperson shall not have a second or casting vote, and the question will be deemed lost.
- 15.3 Any question at any meeting shall be decided by motion passed
 - (i) unanimously by consensus procedure as set out in By-Law 1; or
 - (ii) where, after following the procedure set out in By-Law 1, the meeting cannot reach unanimity, and decides by a two-thirds majority of those

(5)

present to abandon the principle of unanimity on that particular question - by a majority of members present and voting.

16. CHANGES TO CONSTITUTION

16.1 Changes to this constitution may be made by members at any general meeting of which due notice of the business has been given and in accordance with the decision-making procedures of this constitution.

17. WINDING UP

17.1 Winding up of the organisation shall be by decision of the members at a general meeting of which due notice of the business has been given and in accordance with the decision-making procedures of this constitution.

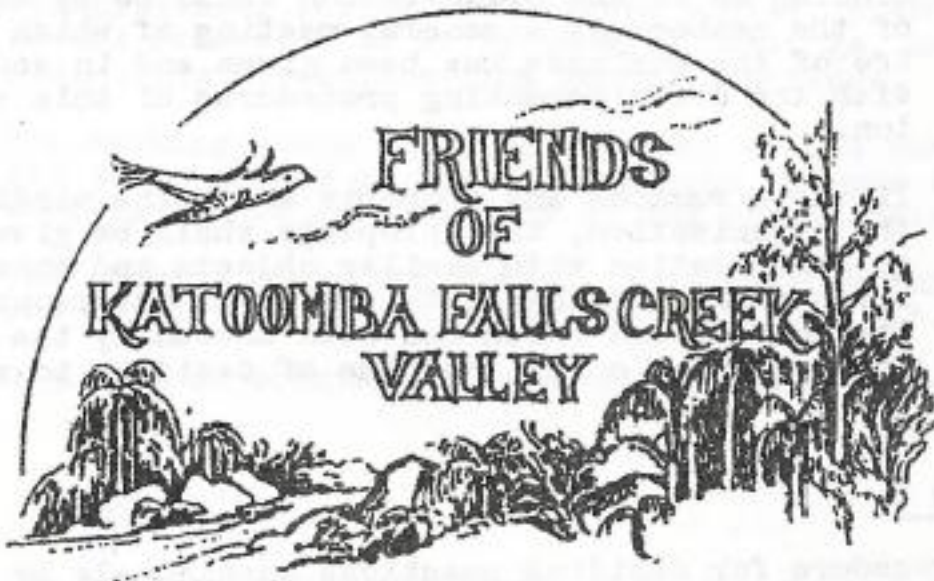
17.2 If there remains any property after the winding up of the organisation, that property shall be given to an organisation with similar objects and whose constitution prohibits the distribution of its property amongst its members and which has been chosen by the members of the organisation at the time of deciding to wind up.

BY-LAW 1

The procedure for deciding questions unanimously by consensus shall be as follows:

- (a) the meeting shall ensure that the question or matter requiring decision is stated as clearly as possible by the chairperson or other person;
- (b) the meeting shall test to satisfy that each person understands the question or matter requiring decision;
- (c) the meeting shall encourage all points of view and tentative proposals to be expressed without considering a formal motion;
- (d) the meeting shall determine whether further information is available or needed before a decision is reached;
- (e) the meeting shall re-state as clearly as possible the central question or matter;
- (f) the meeting shall consider a trial motion;
- (g) the meeting shall consider any alternative motions proposed;
- (h) the meeting shall test until satisfied for the motion all agree to support, even if some do not prefer it;
- (i) the meeting shall declare consensus for the decision.

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