

**Canberra Organic Growers Society Incorporated  
Minutes of the Annual General Meeting**

**Majura Community Centre, Rosevear Place, Dickson  
Tuesday 22th March 2016 at 7.30pm**

In the absence of a COGS President Andy Hrast was elected to conduct the meeting.  
Motion moved by Sue McCarthy and seconded by Glynis Kennedy.

Twenty five members were present. Andy explained that the purpose of the AGM was:

- For the outgoing committee to give its report
- For the Treasurer to give a report of the audited financial statements
- To vote on Constitutional amendments
- To conduct elections for new office bearers, and
- To thank outgoing office members.

**Apologies**

Maarten Stapper, Bill Chaffey, Patricia Georgee, Michele England, David Odell, Heather Campbell, Bridget Norton.

**Minutes from the previous AGM**

Jo McMillan **moved** that the minutes from the 2015 AGM be accepted. Seconded by Sue Pavasaris.  
The minutes were accepted without amendment.

**Committee's Report**

Andy Hrast presented the Committee's report. Highlights of 2015 included:

- The ACT government's ongoing commitment to community gardens and urban agriculture with two funding proposals being successful (at Dickson and Cotter gardens) from a newly announced community gardens funding program;
- Membership numbers steady;
- The COGS financial position being very strong;
- Bedding down the new finance system.
- Convenors managing their respective gardens well with only 2 issues requiring COGS Executive Committee involvement. These issues have now been resolved;
- Outreach to the community being a core COGS activity during the year which included publishing a high quality quarterly magazine, maintaining the COGS website and providing a very active Facebook page with over 1500 followers;
- Organising a monthly lecture program for members and organising the garden visits activities of the Backyard Garden Group
- Maintaining a library for all COGS members.
- Holding a "Think Tank" to consider future challenges and directions for COGS. The outcomes of this provided a broad framework, as well as specific actions, to guide COGS in the future.
- Compiling a Convenors' Induction Kit which is expected to be finalised in the next few weeks.
- Putting forward a submission to government on the draft guidelines on verge gardening.
- Providing advice to government agencies, and developers on the proposed Coombs garden and liaising with City Farm on its proposal for an allotment garden at its site in

- Turner.
- Working with ACT Housing and UC Kaleen High School to redevelop the Kaleen garden to overcome overshadowing from a proposed multi story housing development. Special thanks to the Kaleen Convenors and gardeners in negotiating a successful outcome whereby the developer paid all costs to move and reestablish the parts of the garden affected by the overshadowing.

Andy Hrast moved the report be accepted and was seconded by Sue McCarthy. The Report was accepted unanimously.

### **Treasurer’s Report and Audited Financial Statements**

Copies of the Audited Financial Statements approved by the Committee for the year ended 31 December 2015 were provided.

Andy Hrast, in the absence of the Treasurer, outlined the financial position COGS revenue in the year ended 31 December 2015 was \$65, 037 and expenses amounted \$49, 560. Total net assets held by COGS at 31 December 2015 are \$180,247. The net assets amount includes the grant funds received from the ACT which had not been expended.

COGS in the opinion of the Treasurer has sufficient funds to meet expected activities for the coming year.

Andy Hrast moved that the report be accepted and was seconded by Keith Colls. The report was accepted unanimously.

### **Vote on Special Resolutions to Amend COGS Rules (Constitution)**

A document had been mailed to all members setting out the proposed special resolutions to make certain changes to the COGS Rules (Constitution). A copy of the paper was also distributed to attendees at the meeting. A copy of this document is at Attachment 1.

Sue McCarthy gave details on the each of the proposed Special Resolutions prior to the members’ vote. In addition 9 proxy votes were received and counted. The outcome following the voting is as follows:

- Resolution 1 – Sue McCarthy moved the resolution and seconded by Neville Jackson. Resolution 1 was unanimously accepted;
- Resolution 2 – Sue McCarthy moved the resolution and seconded by Ken Farley. Resolution 2 was unanimously accepted;
- Resolution 3 – Sue McCarthy moved the resolution and seconded by Glynis Kennedy. Resolution 3 accepted with one proxy vote against;
- Resolution 4 - Sue explained that Resolution 4 should read Rule 21 not Rule 20. Sue McCarthy moved the resolution and seconded by Walter Steensby. Resolution 4 was unanimously accepted;
- Resolution 5 – Sue McCarthy moved the resolution and seconded by Sue Pavasaris. Resolution 5 unanimously accepted.

### **Election of COGS Committee**

The following members were elected unopposed:

President	Walter Steensby
Vice President	Susan McCarthy
Secretary	Glynis Kennedy

Treasurer	Andy Hrast
Magazine Editor	Sue Pavasaris
Gardens Coordinator	Joanne McMillan
Librarian	Michele England
Membership Secretary	Patricia Georgee
General members	Peter Weddell, Neville Grant Jackson, John Kenneth Farley, Keith Colls, Heather Campbell

#### Votes of Thanks

A vote of thanks was given to:

- Maartin Stapper for his work for the past two years as Treasurer and for his hard work involved in bedding down the new financial system.
- Donna Vaughan and Jane Vincent for organising the speakers at the COGS General meetings.
- Jeanette Heycox for her work with the Backyard Gardens Group.

#### Other Business

**Members' General Meetings-** Agreed they are necessary. Suggestions put forward for future meetings were:

- Visits to COGS Gardens;
- Continue the speaker program — Keith Colls advised he can advertise the speaker program on his program on 2XX.

Robert Rider (non member) advised he has an extensive garden and would be happy for members to visit.

Meetings in May, June, July and August will be held on Sunday afternoons at 2pm and visits to gardens can be arranged then.

Meeting closed at 9.15pm

Attachment 1

**CANBERRA ORGANIC GROWERS SOCIETY INCORPORATED (COGS)  
NOTICE OF INTENTION TO PROPOSE SPECIAL RESOLUTIONS TO AMEND COGS  
RULES (CONSTITUTION)  
PROPOSED FOR APPROVAL OF MEMBERS AT ANNUAL GENERAL MEETING ON  
TUESDAY 22 MARCH 2016 AT 7.30 PM**

At the annual general meeting of members to be held on Tuesday 22 March 2016 commencing at 7.30 pm at the Majura Community Centre, Rosevear Place, Dickson, the COGS Committee will (in accordance with Rule 24 of the COGS Constitution) propose special resolutions to make certain changes to the COGS Rules (Constitution).

The proposed resolutions to give effect to these changes are set out in detail in Part 2 of this notice. In addition, explanations of the changes are set out below in Part 1 of this notice.

**Part 1 - Explanations of changes**

**Changes to Rule 12 and Rule 14 of the Constitution**

These changes are intended to create a new office-bearer position of Community Gardens Coordinator. The Community Gardens Coordinator will have the role of liaison with individual garden convenors concerning community garden matters, such as plot holder data, water allocations and usage, rainfall statistics and gardens-wide matters.

As an office-bearer, the Community Gardens Coordinator will be a member of the Committee. The creation of the new position of Community Gardens Coordinator will not affect the existing right of individual garden convenors to attend committee and sub-committee meetings and vote on community garden matters raised at such meetings.

**Changes to Rule 35 and Appendix 4 of the Constitution**

These changes are intended to strengthen the power of COGS and its garden convenors and garden committees, to manage derelict or neglected plots in COGS community gardens, to the benefit of COGS itself and COGS community gardeners as a group.

The new rule will allow resumption of any plot which has been in an unkempt, derelict, overgrown or neglected condition continuously for two months or more, where the plot-holder does not then rectify the condition of the plot to the standard of a reasonably well-maintained plot within a further 30 days from receiving a written notice to do so.

The new rule will also allow resumption of abandoned plots by written notice.

Member rights under rule 9 (Disciplining of members) and rule 10 (Right of appeal of disciplined member) will not be affected.

**Change to Rule 3 of Appendix 4 of the Constitution (General Community Garden Rules)**

This change is intended to continue the obligation on members holding a plot in a COGS-managed community garden to garden in that plot in accordance with organic principles, but to simplify for members what "to garden in accordance with organic principles" means for the purposes of that obligation.

**Change to Rule 18 and insertion of new Rule 20 of Appendix 4 of the Constitution (General Community Garden Rules)**

These changes are intended to first, restrict and regulate the lighting of fires and burning off in community gardens, and secondly, to expressly require that all activities in community gardens, including but not limited to the lighting of fires and burning off, are undertaken in accordance with all relevant laws.

Should a community garden wish to burn off tree litter, or have an open fire for social purposes (eg a barbecue) it must comply with all relevant laws, including obtaining any necessary government permits in advance for every such event.

No fires of any other kind are permitted.

The permit holder (normally this would be the garden convenor) must take responsibility for the fire and the safety of gardeners and the public.

### **Change to Rule 1(3) and Rule 24**

These changes are intended to update the constitution by deleting a reference to repealed legislation (the *Interpretation Act 1967*) and substituting a reference to the legislation which has replaced it (the *Legislation Act 2001*).

The effect of this will be to authorise the giving by COGS of notices, including notices of proposed special resolutions, to members by all methods prescribed by the *Legislation Act 2001*. These methods are by hand delivery, by sending by pre-paid post to a home or business address, by faxing or by emailing.

The *Legislation Act 2001* also sets out when a notice is taken to have been served, depending on what method of service is used. Accordingly, the Constitution will not need to specify this.

The current COGS committee intends to adopt the method of email where the member has provided an email address. Where no email address has been provided, such notices will continue to be sent by pre-paid post to the member's address appearing in the register of members, unless a member specifies otherwise.

In the case of notices of proposed special resolutions, at least 21 days notice is required, pursuant to section 70 of the *Associations Incorporation Act 1991*. Accordingly, the shorter notice period in the Constitution has been deleted.

The changes update an out of date legislative reference, incorporate current legislative requirements, and reflect changes in accepted methods of communication.

Importantly, they will also save COGS postal charges, stationery costs and administration time.

### ***Availability of full current COGS Constitution***

The full COGS Constitution is available on the COGS website at <http://www.cogs.asn.au/about/> or at <http://www.cogs.asn.au/wp-content/uploads/2008/08/COGS-constn-with-changes-28-Sep-10-clean.pdf>

### ***Invitation to attend meeting***

You are invited to attend the meeting on Tuesday 22 March 2016 and vote on the resolutions. As special resolutions are required, the proposals must be passed by at least 75% of members who are entitled to vote, and are present and voting or voting by proxy.

### ***Voting by proxy***

If you wish to vote by proxy, you must complete the enclosed proxy form appointing a current member of COGS as your proxy. Completed proxy forms must be mailed to the Secretary, COGS, PO Box 347 Dickson ACT 2602, to arrive on or before 22 March 2016 or be given to the Secretary Andy Hrast on the night of the meeting prior to commencement of voting.

## **Part 2 - Amendments to COGS Rules to be proposed at the annual general meeting of members on Tuesday 22 March 2016.**

**Resolution 1:** That the Constitution be amended by:

(1) adding to Rule 12 (2), with consequential relocation of “and”, the words:

*“(f) the Community Gardens Coordinator.”*

(2) adding to Rule 14 a new Rule 14(6), with consequential renumbering of the existing Rule 14(6) to be Rule 14(7), the words:

*“(6) The Community Gardens Coordinator, under the general direction of the committee and subject to this constitution, shall:*

*(a) liaise regularly with individual garden convenors concerning community garden matters, such as plot-holder data, water allocations and usage, rainfall statistics and gardens-wide matters;*

*(b) provide plot-holder data regularly to the Membership Secretary to enable the Membership Secretary to maintain an accurate register of*

*plot-holders at all community gardens operated under the auspices of COGS; and  
(c) perform such other duties as the committee may direct from time to time.”*

**Resolution 2:** That Rule 35(5) of the Constitution be amended by removing the existing text and replacing it with the words:

*“(5) Members must submit to and comply with the general community garden rules at Appendix 4 to this constitution, and the individual community garden rules, or be liable to disciplinary action under rule 9 of this constitution.”; and*

that Appendix 4 of the Constitution be amended by including the additional words after rule 19:

*“20.1 The plot-holder of any plot which in the reasonable opinion of the Garden Convenor, in consultation with the Garden Committee, has been in an unkempt, derelict, overgrown or neglected condition, for a continuous period of not less than two (2) months may be given written notice by the Garden Convenor by post or email that the condition of the plot must be rectified within a period of thirty (30) days from receipt of the notice to the standard of a reasonably well-maintained plot. If the condition of the plot has not been rectified to that standard within that period of thirty (30) days the plot may be resumed by written notice from the Garden Convenor to the plot-holder, and no refund of plot fees will be payable.*

*”20.2 Any plot which in the reasonable opinion of the Garden Convenor, in consultation with the Garden Committee, has been abandoned may be resumed by the Garden Convenor by giving written notice to the plot holder at the plot-holder’s last known email or postal address. Resumption will take effect upon the giving of the notice.”*

**Resolution 3:** That Rule 3 of Appendix 4 of the Constitution be amended by deleting the existing text and replacing it with the following:

*“3. All members holding a plot in a community garden must garden in that plot without the use of non-organic pesticides, herbicides or inorganic fertilisers.”*

**Resolution 4:** That Rule 18 of Appendix 4 of the Constitution be amended by deleting the words “fires and burning off;” and

that Appendix 4 of the Constitution be amended by inserting a new Rule 20 as follows:

*“20. All activities in community gardens, including but not limited to lighting of fires and burning off, must be undertaken in accordance with all relevant laws.”*

**Resolution 5:** That Rule 1(3) of the Constitution be amended by deleting the words “the Interpretation Act 1967” and substituting “the Legislation Act 2001”; and that Rule 24(2) of the Constitution be amended by deleting the existing words and substituting the following words “Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of COGS, the Secretary shall give each member a notice specifying the intention to propose the resolution as a special resolution.”

**Date of this notice: 24 February 2016**

**Authorised by Andy Hrast, Secretary of Canberra Organic Growers Society Incorporated.**