



## Lake Glenmaggie Community Representative Group Inc.

Number A0053227R

PO Box 90,

Heyfield, Vic 3858

[www.glenmaggie.vic.au](http://www.glenmaggie.vic.au)

### Special General Meeting

**Meeting Date:** Saturday 12th December 2009

**Time:** 3pm

**Place:** Glenmaggie Hall

**Attendees:** Shelley Corkell (SC), , Kate Erickson (KE), Carol King (CK), Glen Eddington (GE), Mal Foot (MF), Leon Bannister (LB), Elaine Bannister (EB), Max Bowell (MB), Linda Clark (LC), Danny Clark (DC), Andrew Corkell (AC), Allen Gates (AG), Daniel Hogbin (DH), Becky Hogbin-Sullivan (BHS), Noreen Holmes (NH), Adam King (AK), Martin Kool (MK), Roger Malouf (RM), Tom McCrohan (TMc), Robert Moss (RM), Paula Moss (PM), Barry Noble (BN), Ian Penberthy (IP), Tony Pennington (TP), Jenny Repschlager (JR), Peter Repschlager (PR), David Robertson (DR), Di Robertson (DiR), Barry Steffen (BS), Merryn Stevenson (MS), David Sullivan (DS), Vickie Sullivan (VS), Susie Vanderplight (SV), Mick Vanderplight (MV), Leo Percy (LP)

**Apologies:** Lynne Boskma, Neil Boskma, Daniel Clark, Amy Clark, Pam Coffey, Steven Corkell, Villa Corkell, Katrina Cuskelly, Jayne Davis, Vicki Fenton, Madeleine Gould-Hogbin, John Gwyther, Don Helmore, Kevin Hutchinson-Bush, Silki Hutchinson-Bush, Carmel Longshaw, Wendy Martin, Neal Matthews, Ben McCrohan, Dianne McCrohan, Gerard O'Keefe, Lisa Page, Lynne Patten-Malouf, Andrew Reid, Erick Rollen, Ben Sanders, Shirley Savage, Ken Savage, Kelly Savage, Anthony Savage, Bill Savage, Kevin Savage, Phil Savage, Daniel Savage, Lois Scott, Wayne Smit, David Villiers, Glynis Villiers.

#### Agenda Item 1: Welcome

- The Lake Glenmaggie CRG Inc. President Shelley Corkell (SC) welcomed everyone in attendance to the Glenmaggie Hall for this Special General Meeting, which has been called by 5% of the membership in accordance with the current model rules.
- Then stated the object of the meeting is to develop and register specific rules of Association to apply to the Lake Glenmaggie CRG Inc.
- Five minutes discussion time has been allocated to each resolution and voting will be by show of hands with cards, which is reserved for paid up members only.

#### Agenda Item 2: Apologies

Apologies have been noted on the sign in register.

Apologies from the floor were called for. - None noted

President called for a motion that apologies be accepted.

**Motion:** Moved by Tom Mc Crohan (TMc) that apologies be accepted.

Seconded by: Ian Penberthy (IP)

Leon Bannister (LB) wished to read a statement from a member John Gwyther who was absent. The President rejected this on the grounds it was not an agenda item.

#### Agenda Item 3: Proxy Votes.

The President stated that the committee had received a total of 37 proxy votes which were received by the cut off time of 3pm 11/12/2009. Linda Clark (LC) wished to have a Proxy Vote accepted at this meeting on the grounds that the covering letter to the agenda stated Saturday 11/12/2009 when in fact this date did not exist. The LGCRG Inc. Secretary responded stating the closing date for proxy votes was Friday 11/12/2009 3pm as pertaining to the LGCRG Inc. Constitution, in accordance with;

##### Rule 19. Proxies

- (1) Each member is entitled to appoint another member as a proxy by notice given to the Secretary no later than 24 hours before the time of the meeting in respect of which the proxy is appointed

LC still wished to have the proxy accepted. The Secretary rejected this request. LC wanted this proxy vote signed as register of her protest for the non-acceptance. The proxy was given to the committee.

**Discussion:** LB wished to point out that this meeting could be over very quickly, as there were no motions to be moved on the agenda. The President rejected this on the grounds that the letter received to call this Special General Meeting with the request for changes to particular rules could continue as the stated objective of the meeting was to develop and register specific "Rules of Association" and all proposed changes to those rules have already been indicated in red. DS stated that in his request for this SGM, the correspondence included a Draft Copy only of recommended changes. It is supposed to be work in progress and be implemented by June 2010. David Sullivan (DS) said he had copies with him today of the proposed changes then placed them on a chair in front of him. No one approached. The LGCRG Secretary

Kate Erickson (KE) responded that with further investigation with Consumer Affairs Vic, the wording in his correspondence (object of the meeting) included the phrase "Develop and Register Specific Rules of Association". Also he had attached the model constitution which included in red all proposed changes therefore voting on the items changes could proceed today. She stated that she had recently attended a Consumer Affairs Vic Information Night on invitation from the Wellington Shire Council. Here it was divulged there were amendments to our current LGCRG Inc. Constitution dated April 2009.

DS said there was no reason to use these, as they do not come into effect until next year. The Secretary rejected this and stated they came into effect April 2009. SV asked DS and requested an answer: - Why does this need to be done now? DS responded that the changes would be viable and improve the functionality of the constitution.

**Agenda Item 4: Consider proposed changes to the LGCRG Inc. Constitution - (Maximum of 5 minute's discussion per item allowed).**

The President stated that voting would commence regarding the proposed changes to the model constitution.

LC & Paula Moss (PM) asked "where could members view the constitution?". The Secretary held up a copy and said it is here for anyone to view at any meeting and further stated that it is available for viewing at any time on the Lake Glenmaggie web page. Immediately Merryn Stephenson (MS) came and took the copy for viewing and stated who has time to read this. The Secretary stated a copy of all the proposed changes had been sent to members for their perusal 21 days prior to this meeting. These changes were up for voting today. Roger Malouf (RM) stated he had received a copy and had read it. He was here today to use his voting right.

The President said for the benefit of the members who did not have a copy with them today she would read the original Constitution Rules and then read the proposed changes.

**1<sup>st</sup> Resolution**

The President read the original Constitution Rule, then read the following amendment request:-

**1. Name**

The name of the incorporated association is the Lake Glenmaggie Community Representative Group (in these rules called the association).

**The name of the incorporated association is the Lake Glenmaggie Community Representative Group Incorporated (in these rules call "the Association").**

**Motion:** That the proposed change to rule 1 be accepted.

**Moved:** Tom Mc Crohan

**Second:** Andrew Corkell

**Discussion:** Nil

**Voting results:**

In Favour of Motion	52	Against the Motion	0
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**2<sup>nd</sup> Resolution**

The President read the original Constitution Rule, then read the following amendment requests: -

**4. Membership, entry fees and subscription**

- (1) A person who applies and is approved for membership as provided in these Rules is eligible to be a member of the Association on payment of the entrance fee and annual subscription payable under these Rules.
- (2) A person who is not a member of the Association at the time of the incorporation of the Association (or who was a member at that time but has ceased to be a member must not be admitted to membership unless—

he or she applies for membership in accordance with sub rule (3); and

**(b) he or she has attended at least 2 general meetings of the Association;**

**(c) is a resident or has a financial interest in property located within a 10 km radius of the geographical centre of Lake Glenmaggie; and is**

**(d) is over the age of eighteen [18] years; and**

**(e) the admission as a member is approved by the committee**

**3) A person who does not meet the, requirements of membership may join as an Associate Member subject to the following requirements -**

**(a) he or she has attended at least 2 general meetings of the Association; and**

**(b) he or she has an interest in the aims and objectives of the association**

**(c) on attainment of the age of eighteen 18 years their membership status will be elevated to Member**

**(d) the admission as an associate member is approved by the committee**

**Motion:** That all proposed changes to rule 4 are not accepted.

**Moved:** Tom Mc Crohan

**Seconded by:** Andrew Corkell

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership.

Request denied by Tom Mc Crohan

**Discussion:** General discussion why these proposed changes are not suitable.

**Voting results:**

In Favour of Motion	51	Against the Motion	3
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LB stated that he abstained from voting on this motion as it would be unconstitutional to do so.

DS abstained and rejected the voting said it was unconstitutional to do so also.

### 3<sup>rd</sup> Resolution

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

#### 9. Annual general meetings

**(4) Voting at Annual General meetings/elections can only be undertaken by -**

**(a) Members [Not Associate Members] who have attended, and recorded such attendance in the minutes at NO LESS than 6 general meetings in the previous 12 months; and**

**(b) proxy votes can only be accepted from those members who have attended and recorded such attendance in the minutes NO LESS than 6 general meetings in the previous 12 months; and**

**Associate members shall have no vote or proxy rights at the annual general meeting.**

**Discussion:** LC requested that the meeting be closed as she referred to LB and asked on what grounds again. LB replied it was unconstitutional and LC repeated. RM requested that the meeting move on.

**Motion:** That all proposed changes to rule 9 be rejected.

**Moved :** Andrew Corkell:

**Seconded:** - Tom Mc Crohan

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Andrew Corkell

**Discussion:** Nil

**Voting results**

In Favour of Motion	52	Against the Motion	3
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LB abstained from voting on this motion on the grounds that it would be unconstitutional to do so.

DS abstained and rejected the voting said it was unconstitutional.

### 4<sup>th</sup> Resolution

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

#### 10. Special general meetings

1) The Secretary of the Association, **shall prepare a roster of scheduled MONTHLY meeting dates as soon as possible after the annual general meeting, such schedule will cover the period of no less than 11 months/general meetings. Such register shall schedule no less than 50 % of meetings to be held on a weekday evening.**

**(2) No less than 21 days before a scheduled general meeting the Secretary of the Association shall call for agenda items, and 14 days prior to such meeting shall distribute an agenda**

(3) **In the event that**, a special resolution has been proposed **notice of no less than** at least 21 days, before the date fixed for holding a general meeting of the Association, must cause to be sent to each member of the Association, a notice stating the place, date and time of the meeting and the nature of the business to be conducted at the meeting.

**Motion:** To reject all proposed changes to rule 10.

**Moved:** - Tom Mc Crohan

**Seconded:** - Tony Penington

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Tom Mc Crohan

**Discussion:** T Mc stated that as Coongulla Hall Committee President he knew first hand how costly meetings were to hold. PM requested at least 6 meetings per year.

**Voting results**

In Favour of Motion	53	Against the Motion	3
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LB stated he abstains from voting on this motion on the grounds that it would be unconstitutional to do so.

DS abstained and rejected the voting said it was unconstitutional

### 5<sup>th</sup> Resolution

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

16. Voting at general meetings

**(3) Proxy votes will only be valid if the member has attended no less than 6 general meetings in the preceding 12 months prior to the vote**

**(6) An associate member is not entitled to vote.**

**Motion:** That we reject all proposed changes to rule 16.

**Moved:** Andrew Corkell

**Seconded:** Tom Mc Crohan

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Andrew Corkell.

**Discussion:** T Mc stated it is very hard for members to get to the meetings and that is why proxy votes are accepted within the constitution.

**Voting results**

In Favour of Motion	52	Against the Motion	3
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LB stated that he abstains from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

**6<sup>th</sup> Resolution**

Shelley Corkell read original Constitution Rule, then read the following amendment request: -

**19. Proxies**

**(2) A proxy vote can only be taken from a member who has attended at least 6 general meetings in the past 12 months.**

**Motion:** All proposed changes to rule 19 be rejected.

**Moved:** Andrew Corkell

**Seconded:** Tom Mc Crohan

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Andrew Corkell

**Discussion:** T. Mc stated for the benefit of the members that proxy votes are accepted up to 24 hours prior to the meeting time.

**Voting results**

In Favour of Motion	53	Against the Motion	0
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LB stated that he abstained from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

**7<sup>th</sup> Resolution**

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

**22. Ordinary members of the committee**

(1) Subject to these Rules, each ordinary member of the committee shall hold office until the annual general meeting next after the date of election but is eligible for re-election.

**(2) One of each shall represent the Eastern and Western zones of Lake Glenmaggie defined by a line running North South through the geographic Centre of the lake**

(2) In the event of a casual vacancy occurring in the office of an ordinary member of the committee, the committee may appoint a member of the Association to fill the vacancy, **with a member from the applicable zone in which the vacancy arose**, and the member appointed shall hold office, subject to these Rules, until the conclusion of the annual general meeting next following the date of the appointment.

**Motion:** I move that all proposed changes to rule 22 be rejected.

**Moved:** Ian Penberthy

**Seconded:** Andrew Corkell

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Ian Penbarthy

**Discussion:** - T.Mc spoke about the diversity is not always applicable, as some people do not want to be involved in committees. MS stated that Glenmaggie does not want to be seen as not caring; they are a peaceful township and do not like the infighting that has gone on in the LGCRG Inc.

**Voting results**

In Favour of Motion	50	Against the Motion	6
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LB stated that he abstains from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

**8<sup>th</sup> Resolution**

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

### 23. Election of officers and ordinary committee members

- (1) Nominations of candidates for election as officers of the Association or as ordinary members of the committee must be—
- (a) made in writing, signed by two members of the Association, **who have attended no less than 6 general meetings in the preceding 12 months**, and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination); and
  - (2) The ballot for the election of officers and ordinary members of the committee must be conducted at the annual general meeting in such manner as the **MEMBERS** may direct.

**(7) An independent Returning Officer shall be appointed by the committee and confirmed by the membership at least 30 days prior to the annual general meeting/election**

**Motion:** To reject all proposed changes to rule 23.

**Moved:** Andrew Corkell

**Seconded:** - Tom Mc Crohan

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Andrew Corkell

**Discussion** NIL

**Voting results**

In Favour of Motion	51	Against the Motion	1
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LB stated that he abstained from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

### 9<sup>th</sup> Resolution

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

### 26. Notice of committee meetings

- (1) Written notice of each committee meeting must be given to **all members** at least 2 business days before the date of the meeting.

**(2) Any member may attend a committee meeting as an observer but shall have no voting rights**

**Motion:** To reject all proposed changes to rule 26.

**Moved:** Tom McCrohan

**Seconded:** Andrew Corkell

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Tom McCrohan

**Discussion - NIL**

**Voting results**

In Favour of Motion	51	Against the Motion	0
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LB stated that he abstained from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

### The Committee of Management proposes the following changes to the Constitution

DS stated these changes required 21 days notice prior to the meeting. The Secretary replied that these changes were notated and sent to members in the notice of meeting 21 days prior to this meeting as per the constitution rule 12. 1)

### 10<sup>th</sup> Resolution

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

### 5. Register of members

**2) Names only on the register are available for inspection free of charge by any member upon request.**

**3) A member may make a copy of names only that appear on the register.**

**Motion:** To accept all proposed changes to rule 5.

**Moved:** Kate Erickson

**Seconded:** Tom Mc Crohan

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Andrew Corkell

**Discussion:** LB said that there had already been a copy of the full register used for correspondence to members. MF responded and asked if LB was referring to the letter he had sent to members. LB responded with Yes. MF replied that after checking Consumer Affairs he sent a personal letter, at his own cost. LB stated: he wishes to enquire what it is, by virtue of these changes that the Committee is trying to conceal. The President responded; the proposed changes are designed to protect the privacy of members. LB made the assumption that most members publish their addresses in the phone directory. The President stated that members may have silent phone numbers. The President and Secretary stated that the members

were entitled to a right of privacy. Andrew Corkell said he personally did not want his information given out to anyone in case this person could potentially harm him or his family in some way.

<b>Voting results</b>	In Favour of Motion	52	Against the Motion	0
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LB stated that he abstained from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

### 11<sup>th</sup> Resolution

Shelley Corkell read original Constitution Rule, then read the following amendment requests: -

#### 10. Special General Meetings

The committee must, on the request in writing of members representing not less than 5 per cent of the total number of members, convene a special general meeting of the association.

**The committee must on the request in writing, not less than 2 months notice, of members representing not less than 15 per cent of the total number of members, convene a special general meeting of the association.**

**Delete sub rules 7 & 8, which state;**

**If the committee does not cause a special general meeting to be held within one month after the date on which a special general meeting is convened by the members in accordance with this rule, it must be convened in such a manner so far as possible as a meeting of the committee and all reasonable expenses incurred in convening the special general meeting must be refunded by the Association to the persons incurring the expense.**

**Motion:** To accept all proposed changes to rule 10.

**Moved:** Andrew Corkell

**Seconded:** Tom Mc Crohan

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Andrew Corkell

**Discussion** - Nil

<b>Voting results</b>	In Favour of Motion	50	Against the Motion	1
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LB stated that he abstained from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

### 12<sup>th</sup> Resolution

Shelley Corkell read original Constitution Rule, then read the following amendment request: -

#### 20. Committee of Management

(3) Subject to section 23 of the Act, the committee shall comprise of ;

(a) the officers of the association; and

**(b) six ordinary members**

**Each of whom shall be elected at the annual general meeting of the Association in each year.**

**Motion:** To accept all proposed changes to rule 20.

**Moved:** Andrew Corkell

**Seconded:** - Ian Penberthy

LB, I move to amend the motion to the effect that there be no further discussion, or voting on this matter until such time as there is convened a small, representative working party to consider the matter, consult with members, and report back their recommendations, via the Committee, to the membership. Request denied by Andrew Corkell

**Discussion:** Nil

<b>Voting results</b>	In Favour of Motion	54	Against the Motion	0
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LB stated that he abstained from voting on this motion on the grounds that it would be unconstitutional to do so. DS abstained and rejected the voting said it was unconstitutional

**Close of Meeting:** The President thanked everyone for making the time to come to the meeting and declared the meeting closed at **4.40pm**. LB again sought leave to read out Mr Gwyther's statement. This was denied by the President as the meeting was already closed.