

Uki Environmental Facility Management Plan

at Lot 203 Kyogle Road Uki

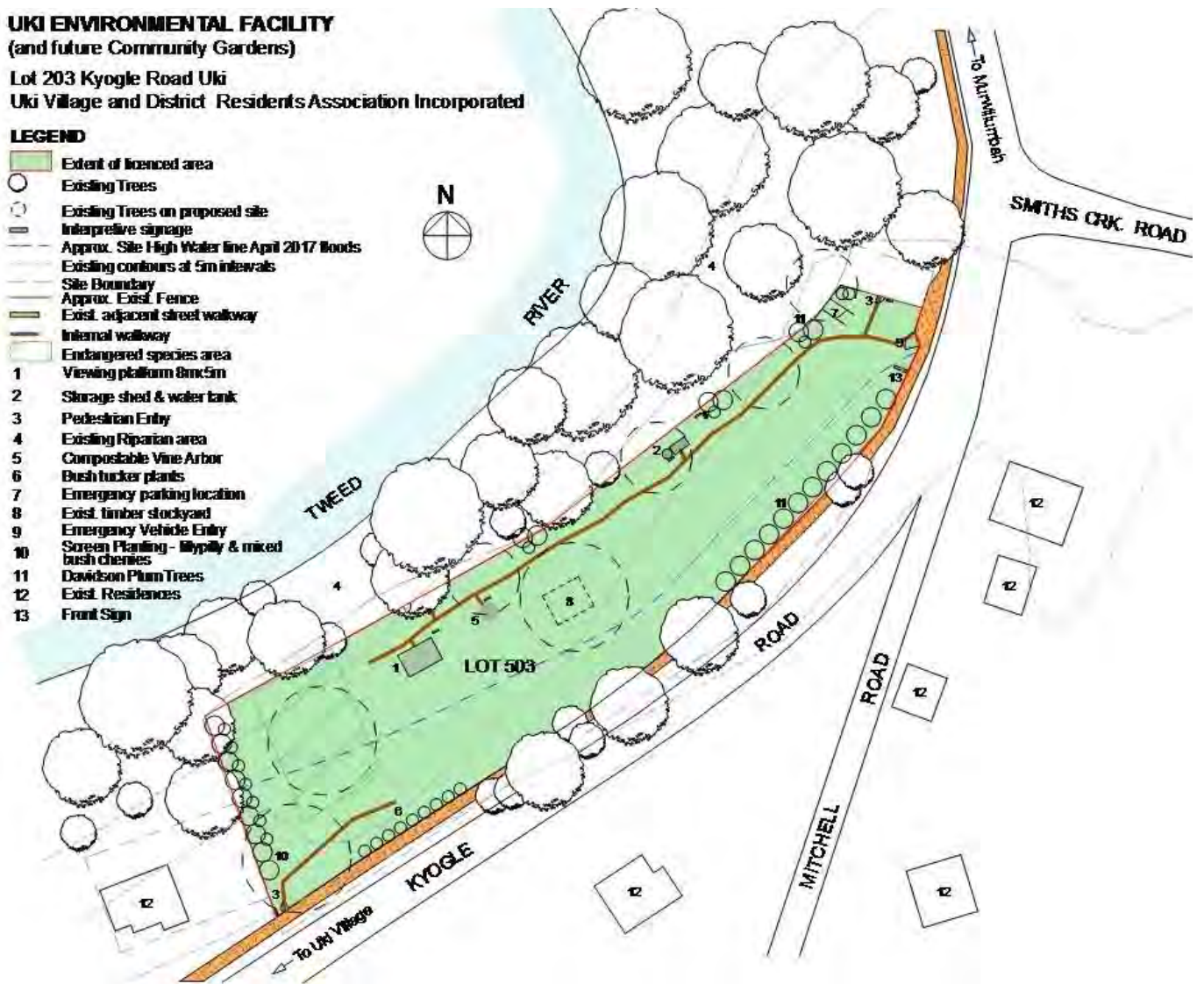
UKI ENVIRONMENTAL FACILITY (and future Community Gardens)

Lot 203 Kyogle Road Uki

Uki Village and District Residents Association Incorporated

LEGEND

- Extent of licenced area
- Existing Trees
- Existing Trees on proposed site
- Interpretive signage
- Approx. Site High Water line April 2017 floods
- Existing contours at 5m intervals
- Site Boundary
- Approx. East Fence
- East. adjacent street walkway
- Internal walkway
- Endangered species area
- 1 Viewing platform 8m x 5m
- 2 Storage shed & water tank
- 3 Pedestrian Entry
- 4 Existing Riparian area
- 5 Compostable Vine Arbor
- 6 Bush tucker plants
- 7 Emergency parking location
- 8 East. timber stockyard
- 9 Emergency Vehicle Entry
- 10 Screen Planting - Lillypill & mixed bush cherries
- 11 Davidson Plum Trees
- 12 East. Residences
- 13 Front Sign



SITE LAYOUT
NOT TO SCALE

Uki Village and District Residents Association (Ukira)
March 2019

TOPICS

1. **Vision and Mission Statement**

- 1.1 Vision Statement
- 1.2 Objectives
- 1.3 Purpose of Environmental Facility
- 1.4 Environmental features of site

2. **Facility Members**

- 2.1 Incorporation of the Environmental Facility group
- 2.2 Organisation Structure & Terms of Reference
 - 2.2.0 Terms of Reference
 - 2.2.1 Steering Committee
 - 2.2.2 Decision making process
 - 2.2.3 Resolving disagreement
 - 2.2.4 Contact and Communication
- 2.3 Facility Strategy/ Works Program
 - 2.3.1 Works program
- 2.4 Insurance and Risk management
- 2.5 Facility Members
 - 2.5.1 Alcohol, smoking and drugs on site
 - 2.5.2 Attitude towards visitors
 - 2.5.3 Membership Goals
 - 2.5.4 Members training
 - 2.5.5 Recruiting and induction of new participants
 - 2.5.6 Ongoing training workshops
- 2.6 Facility Guidelines
 - 2.6.1 Code of Conduct
 - 2.6.2 Responsible Behaviour

3. **Funding**

- 3.1 Membership fees
- 3.2 Applying for grants
- 3.3 Fundraising activities
- 3.4 Other

4. **Management of the Site**

- 4.1 Managing waste on site - organic and non-organic waste
- 4.2 Use of organic practice
- 4.3 Water management
- 4.4 Use of sustainable materials on site
- 4.5 Garden tools and storage
- 4.6 Car parking
- 4.7 Dealing with possible objections to new environmental facility
- 4.8 Access
- 4.9 Current site usage
- 4.10 Exit Strategy

5. **Appendix One: Ukira Certificate of Incorporation**

6. **Appendix Two: Ukira Public Liability Insurance Policy**

7. **Appendix Three: Terms of Reference**

- 8. Appendix Four: Community Consultation**
 - 8.1 Community Consultation Record
 - 8.2 Partnerships and community engagement
- 9. Appendix Five: Background to Project**
 - 9.1 Council Classification
 - 9.2 Supporting documentation
 - 9.3 Alternative Sites
 - 9.4 Meeting objectives of NSW State Plan 2021
 - 9.5 Need for the Environmental Facility
 - 9.5.1 Best public Interest
 - 9.5.2 Community Potential
 - 9.5.3 Meeting current and future community needs/requirements
 - 9.5.4 If the Environmental Facility doesn't proceed
- 10. Appendix Six: Example of Procedures**
- 11. Appendix Seven: Contacts**

1. Vision, objectives and aims

1.1 Vision Statement

Our vision of the Environmental Facility is to connect people to the natural environment and each other thus enhancing community spirit.

1.2 Objectives

- Provide opportunities for environmental study and education of natural flora and fauna systems
- Establish an Environmental Facility growing varieties of endemic native bushfood trees and herbs
- Create a recreation, cultural and community space reflecting Uki Village's unique character
- Create opportunities for environmental art within the facility
- Create appropriate access and spaces for all people, particularly young people and the elderly, to enjoy and use the site and its facilities

1.3 Purpose of Environmental Facility

The Environmental Facility will be a source of inspiration for its members, the public and the local government area. The purpose of the Environmental Facility is to:

- Provide a safe and inclusive space where people of all ages, backgrounds and cultures are welcome
- Be a model of sustainability and inclusive of Uki's Sustainability Plan 2006
- Bring the local community together to share, learn and enjoy the natural environment and understand global implications of sustainable practices
- Provide an access point to and along the river for recreation and leisure
- Help promote arts, culture and tourism in the rural village of Uki and the broader Tweed Shire
- Foster community resilience
- Develop and promote different options of food security
- Progress the site usage from Environmental Facility to Community Garden after 3-5 years

The proposal was included as an action by residents in draft Tweed Shire Council's Open Space Strategy 2018-2028. It is also in keeping with Council's aim to deliver a more equitable distribution of open space in the LGA. It also identifies the ability of the proposal to form a link between the Uki village and Sweetnam Park.

1.4 Environmental features of Site

The site (see plan on following page) has many unique environmental features being located on the Tweed River in a subtropical environment. This section of the river is known for its platypus activity as well as a diverse range of birdlife. Other fauna include goannas, water dragons, bandicoots and a variety of fish.

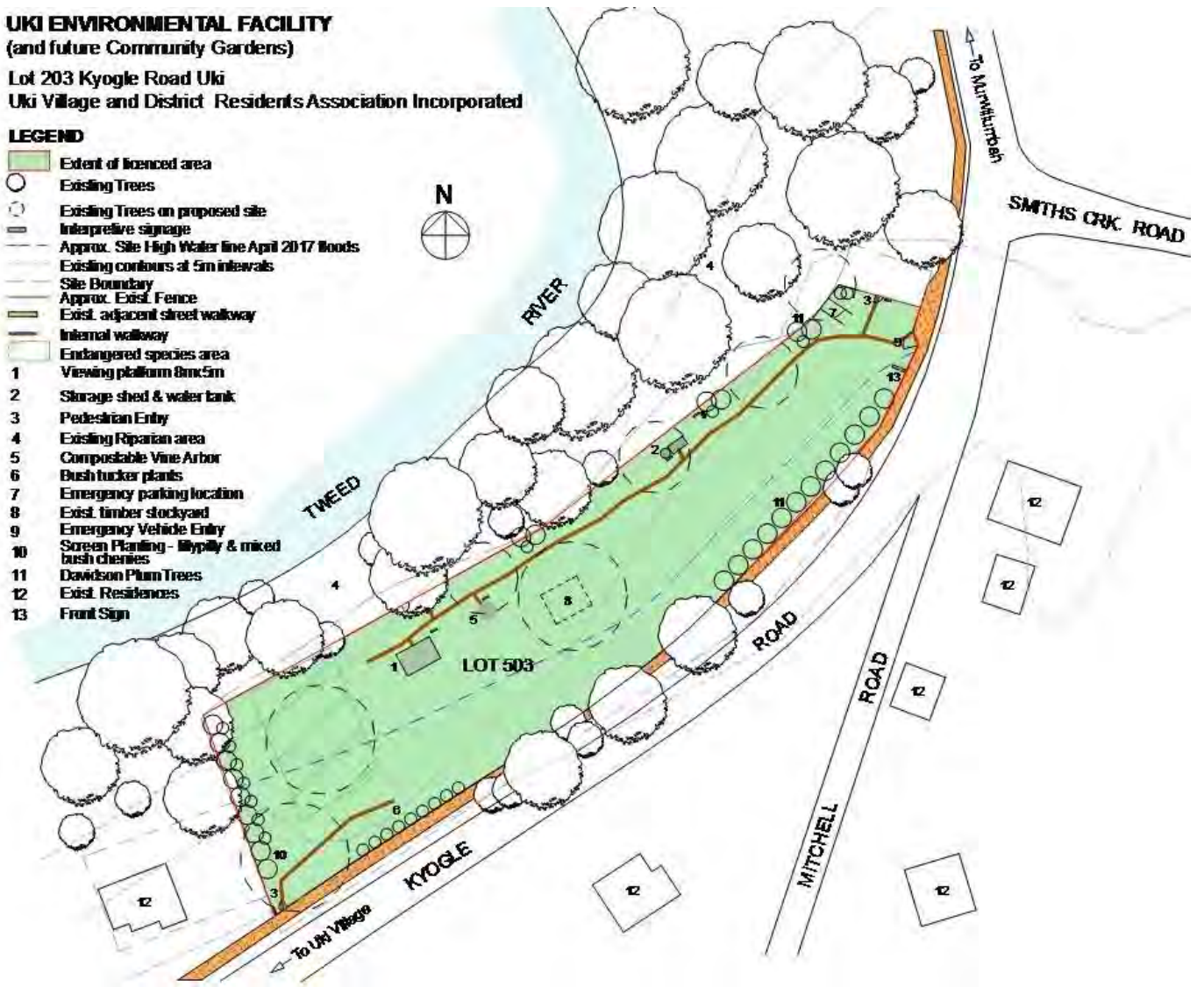
The area supports a population of the threatened species Thorny Pea (*Desmodium acanthocladum*) and a gallery rainforest alliance dominated by Weeping Lilly Pilly and Black Bean.

UKI ENVIRONMENTAL FACILITY
(and future Community Gardens)

Lot 203 Kyogle Road Uki
Uki Village and District Residents Association Incorporated

LEGEND

- Extent of licenced area
- Existing Trees
- Existing Trees on proposed site
- Interpretive signage
- Approx. Site High Water line April 2017 floods
- Site Boundary
- Approx. Exist. Fence
- Exist. adjacent street walkway
- Internal walkway
- Endangered species area
- 1** Viewing platform 8m x 5m
- 2** Storage shed & water tank
- 3** Pedestrian Entry
- 4** Existing Riparian area
- 5** Compostable Vine Arbor
- 6** Bush tucker plants
- 7** Emergency parking location
- 8** Exist. timber stockyard
- 9** Emergency Vehicle Entry
- 10** Screen Planting - Lillypill & mixed bush cherries
- 11** Davidson Plum Trees
- 12** Exist. Residences
- 13** Front Sign



SITE LAYOUT
NOT TO SCALE

2. Facility Members

2.1 Incorporation of the Environmental Facility group

The applicant for the Uki Environmental Facility is Uki Village and District Residents Association Incorporated (Ukira).

The management of the Environmental Facility will be Ukira. As an existing incorporated association Ukira is committed to supporting community projects and village initiatives in the form of consultation, local council advice and connecting like-minded people in the community.

Ukira also owns and manages the Uki Buttery and has Ukitopia as a sub group of its activities. Any local resident can become a member of Ukira.

Through its members Ukira's management role for the Environmental Facility will be as follow:

- conduct consultation and communication with Tweed Council
- provide appropriate insurances
- be responsibility for the Facility, its management and the activities undertaken there

Ukira was incorporated on 8 February 2001. A copy of the Certificate of incorporation is attached in Appendix 1.

The affairs of the Association are managed by a committee comprising seven members who are elected at each Annual General Meeting.

Current Committee:

President	Samuel Quint
Vice President	Eddie Roberts
Treasurer	Philip Carr
Secretary	Lorraine Lintern
Committee Member	David Stratton
Committee Member	Michel Bevis
Committee Member	Bruce Ray

Nominations for membership of the Association are determined by the Committee. General meetings are held on a monthly basis and only members are entitled to vote on agenda items.

Ukira has existing public liability insurance (see Appendix 2 for copy of Ukira's Public Liability Policy) which will be extended to cover activities undertaken at the Environmental Facility. It also has experience in applying for government grants.

2.2 Organisation Structure and Terms of Reference

2.2.0 Terms of Reference

The Terms of Reference outlining organisational structure, membership, voting, procedures, behaviours etc is outlined in the NSW Fair Trading's Model Constitution adopted by Ukira in Appendix 3.

2.2.1 Steering Committee

ROLE	ADOPT*	FUNCTIONS	WHO
MANAGEMENT TEAM			
Coordinator	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Responsible for the coordination of the agreed development of the environmental facility and its effective operation. Report to Ukira for updating of activities and operational advice	Greg O'Donnell
Secretary	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Organises meetings; keeps records; correspondence.	Maite Kervella
Treasurer	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Manages environmental facility funds; banking and payments; management of grant funds; needs ability to produce a balance sheet of incoming/outgoing funds. Produces financial reports for meetings, for the annual general meeting and reporting to the state government authority that administers community associations.	Alison Parr

Public officer	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	A role called for when incorporating, the public officer is a signatory for the association and a contact for official business.	Phil Carr
Committee members	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Elected members that attend management team meetings.	Audrey O'Donnell-Parr
OTHER ROLES			
Membership coordinator	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Maintains register of members, organises member inductions and other membership business. This role helps with internal communication between members.	Alison Parr
Media liaison	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Someone articulate, who has a knowledge of the environmental facility (and perhaps of the media), its processes and purpose. The role responds to media enquiries and issues media statements.	Melissa Juchau
Shared garden working bee coordinator	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Someone who organises working bees and makes sure the shared areas and garden infrastructure are well maintained.	Maite Kervella
Education coordinator	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Someone may wish to coordinate the skilling up of gardeners over time. Training could be in the areas of gardening skills, construction or arts in the garden skills.	Alison Parr

* "ADOPT" indicates whether the role is currently filled or not by a designated person

Additional roles will be incorporated into the management structure as the facility develop.

The background of members of the Environmental Facility committee are as follows:

- Greg O'Donnell: mentor, climate institute project officer, retreat centre co-ordinator, President of Incorporate Association of retreat centre, founder of environmental festival, founder of interfaith forum, architect and design educator
- Alison Parr: environmental educator and planner, mentor, marketing and communications consultant, hydrologist, waterways systems officer, youth workshop facilitator, secretary of incorporated association of retreat centre
- Melissa Juchau: Graphic Designer, Biodynamic and Permaculture Practitioner, Alternative Therapist
- Audrey O'Donnell-Parr: Performing artist, creative intuitive, environmentalist and student of history
- Maite Kervella: Member of Nerang community gardens, Phytotherapist, Biodynamic farmer

2.2.2 Decision making process

The committee of 5 will meet once a month with the agenda circulated to committee members one week before the meeting. Any urgent meetings required in the interim will have 24 hours' notice.

Major decisions will be made on a consensus minus one basis at the meetings. For decisions where a critical time factor is involved, the coordinator and two other people on the management team can make a decision, otherwise decisions will be made at monthly meetings.

A statement of financial affairs of the Environmental Facility will be forwarded once a year with Ukira's annual reporting to NSW Department of Fair Trading.

At Ukira's annual general meeting committee positions for the Environmental Facility will be vacated and elections take place.

2.2.3 Resolving disagreement

Minor conflicts are encouraged to be resolved between the individuals or groups. Major conflicts will be discussed at meetings with a last resort of bringing in a mediator with an unbiased point of view. Persons who do not abide by the code of conduct will be given a warning. If after this the person responsible continues, they will be excluded for a 9-month period and will be required to reapply for membership or admission. In the case of severe disruptive circumstances on site the police will be called to deal with the person or persons.

2.2.4 Contact and Communication

Internal Communication

Official communication will be via email with all committee members cc'd. Communication with members will be via email for meeting minutes and agendas and via social media for general information and future activities.

External Communication with stakeholders, the public and the media

Communication with Stakeholders such as Council and UKIRA will be via email, phone and face-to-face meetings.

Public Communication will be via facebook/social media, posters, signage on-site, Uki Newsletter, market stalls eg UKIRA stall at Buttery Bazaar.

Communication with the media will be via email for media releases for newspapers, Uki News, Tweed Link and Radio interviews eg Bay FM.

2.3 Facility Strategy/ Works Program

The proposed Environmental Facility will include:

- development of educational facilities such as a viewing platform area and bird hide
- construction of interpretative signage
- planting out of community bush tucker plants
- revegetation and restoration works as required
- building of storage shed for tools and equipment and associates water tank
- locate any structures above the high-water mark of the 2017 flood

2.3.1 Works program

Implementation times and indicative costings of developing the site over the next 5 years are outlined in the table below based on a commencement date of January 2019. Please see attached drawing of proposal.

The construction of the below items will incorporate special consideration to water flow resilience for 1 in 100 year flooding. This will include:

- location of storage shed above the high water mark of the April 2017 floods
- compostable and demountable panel for bird hide and arbor made from natural materials such as bamboo and branches
- placement of signage in low vulnerable areas

Any construction, where relevant, will be according to the Building Code of Australia (BCA) and relevant Australia Standards.

Costings for Proposed Activities – April 2019 to September 2023

ITEM	Cost	Date Completion	Total Approx Cost
Composting Area - Recycled Corrugated sheets - Recycled Star pickets - Steel wire	0	May 2019	In kind materials
Storage shed and water tank - Excavate side of hill - Cracka Dust - Small container - Lock - Water tank - Roof Sheeting (donated) - Fixings - Structure	\$200 \$50 \$1500 \$100 \$500 - \$100 \$200	October-December 2019	\$2600
Viewing Platform - Excavate for supports - Foundations - Flooring - Donated labour	\$200 \$300 \$450	June 2020	\$950
Planting bushtucker gardens Stg 1 - Digging holes - Mushroom compost 2 tonne - Plants - Organic Fertilizer	n/c \$200 \$200 \$100	September 2020	\$500
Interpretative signage - Recycled sheet steel - Recycled steel poles - Fixings - Paint - Donated brushes & paint	\$100 \$100 \$200 \$100	December 2020	\$500
Building internal walking paths - Excavation - Gravel - Lining - Edging	\$200 \$400 \$200 \$200	April 2021	\$1000
Bird Hide - Excavate foundations - Bamboo poles - Palm branch lining - Fixings - Bracing	\$100 - - \$100 \$200	September 2021	\$400
Planting bushtucker gardens Stg 2 - Digging holes - Mushroom compost 2 tonne - Plants - Organic Fertilizer	n/c \$200 \$200 \$100	March 2022	\$500
Revegetation / restoration works - Seeds and plants - Mushroom Compost 1 tonne	\$200 \$100	September 2022	\$300
Vine Arbor - Excavation - Foundations - Bamboo - Fixings - Plants - Surfacing - Decorations	\$200 \$300 - \$200 \$200 \$200 \$200	September 2023	\$1300

Budget for Activities – May 2019 to April 2020

Period	Fund Raising Activity	Amount	Total
May-July	Existing Funds Membership Fees (15) Fund raiser Event Workshop	\$250 \$150 \$500 \$150	\$1050
Aug-Oct	Fund raiser Event Weekly Stall at Uki Farmer Mkts markets New Membership Fees (5) (Possible Funding "My Community" NSW Govt \$20k) UKIRA Donation	\$400 \$600 \$50 \$500	\$1550
Nov - Jan	Fund raiser Event Weekly Stall at Uki Farmer Mkts New Membership Fees (5) (Possible Council Grant \$1k) Workshop	\$400 \$600 \$50 \$150	\$1200
Feb - April	Fund raiser Event Weekly Stall at Uki Farmer Mkts New Membership Fees (5) Workshop	\$400 \$600 \$50 \$150	\$1200

2.4 Insurance and Risk management

Ukira will extend their Public Liability Insurance to meet the facility's required coverage of \$10,000,000 per year.

2.5 Facility Members

When members join the facility they will fill out a form to nominate which tasks interest them and any special skills they have. As membership grows, teams will be formed to carry out specific tasks or projects, and members will be able to join one of these teams.

Working bees will be run every month on a theme of the season and undertake tasks identified in committee meetings.

2.5.1 Alcohol, smoking and drugs on site

We will have a designated smoking area with butt waste receptacle away from main gathering areas.

The facility will be alcohol-free at all times to ensure a safe, child-friendly space.

2.5.2 Attitude towards visitors

All visitors will be welcomed and encouraged on-site during daylight hours. Tours of the site can be done on an adhoc basis or for large groups, on a pre-arranged basis. We will endeavour to create an accessible site for people of all abilities.

2.5.3 Membership Goals

243 Uki residents have signed an expression of interest form for the facility offering a range of skills including gardening, bush regeneration, project management, horticulture and landscaping.

Our aim is to have 50 active members during the first year and increase membership by 25 per year thereafter.

2.5.4 Members training

Initial training will be needed in the planning phase of the facility including the following:

- Gardening methods which may include bio-dynamics, organic gardening, companion planting and planting by the moon
- Land management and conservation of native flora and fauna
- Principles of solar access, wind, rain, flooding and other environmental factors
- Indigenous cultural aspects

2.5.5 Recruiting and induction of new participants

Recruiting will be through our existing membership database and attendance lists through workshops and events as well as notices on community boards, facebook / social media.

Induction will take place on the first day they attend, by a current trained member. New participants will be familiarised with accepted practices. A booklet of techniques and tips will be available for new members. Hands-on workshops will be run on an as-needed basis.

It is also planned to incorporate a "Work for the Dole" operation in conjunction with Centrelink to carry out some of the maintenance of the Facility.

2.5.6 Ongoing training workshops

There will be ongoing training in the following areas:

- Occupational health and safety
- First Aid
- Noxious and environmental weeds
- Council requirements under the LEP and DCP
- Pest awareness and biological controls
- Native flora and fauna
- Gardening methods

2.6 Facility Guidelines

2.6.1 Code of Conduct

We will have a safety induction process as part of the new member orientation. This will be conducted as a guided walk around site identifying safety issues which could arise and the means used to address them.

Accidents on-site will be documented on an incident form.

Members and visitors will sign in on working bee days.

Materials, tools and safety equipment, such as gloves and hats, will be stored in the garden shed above the high water flood line.

Risk Assessment: Before any event is undertaken a risk assessment will be conducted and documented. This will also provide guidance on safety measures needing to be put in place for the event such as warning tape, signage etc. We will incorporate Tweed Shire Council's (TSC's) Care Group Procedures Manual Worksite Risk Assessment Form attached in Appendix 4.

Our members' responsibilities to other members and visitors to the site, and to the site itself will be:

- Lend time, talent and expertise
- Participate in working bees and orientations
- Help maintain, weed and clean the facility

2.6.2 Responsible Behaviour/ Work, Health and Safety

Appropriate behaviours are those that reflect the purpose and objectives of the Environmental Facility's vision. All activities will be checked with other members. Any organised activities or working bees are required to be endorsed by the committee.

The facility is committed to TSC's Work Health and Safety Requirements outlined in Care Group Procedures Manual June 2014 including the following:

- No volunteer should be under the influence of illegal drugs or alcohol whilst in the facility
- No volunteer is to undertake a task or activity that they have not been trained in or are competent to perform. This includes the use of tools and equipment.
- Report all hazards, incidents and injuries immediately to the co-ordinator on site
- Use the required personal protective equipment (including sun protection) as determined by procedure, Safety Data Sheet (SDS) or direction
- All workgroup members must be aware of the following:
 - Location of first aid kit
 - Emergency assembly area (where to meet in emergency)
 - Emergency procedure (who has phone, who will ring)

Other procedures from TSC's Care Group Procedures Manual will be adopted, examples of which are illustrated in Appendix 4.

3. Funding

3.1 Membership fees

Individual membership fees (15 years and over) - \$10 per year

Junior membership fee (10-14 years) - \$2 per year

Family membership fees (up to 2 adults and their children up to 18 years) - \$20 per year

3.2 Applying for grants

We will collaborate with stakeholders and or other environmental facilities or organisations in applying for grants at local, state or federal levels.

3.3 Fundraising activities

Fundraising activities may include

- seasonal events, workshops and raffles,
- sale of merchandise such as T-shirts, stickers, gardening books, and
- sale of seedlings, plants and herbal tea blends at Uki Farmers Markets

3.4 Other

Sponsorship and support will be sought from local businesses and organisations. Crowd funding may also be gained for specific projects eg tool storage shed or ecological viewing area.

4. Management of the Site

As the incorporated body Ukira will be managing the subject site of the Environmental Facility.

4.1 Managing waste on site - organic and non-organic waste

Organic waste

Organic waste will be managed on-site, for example:

- Composting of weeds, food scraps and spoiled produce; and
- Mulching using grass clippings, leaves and straw

Non-organic waste

Non-organic waste brought on-site will be addressed by:

- Avoidance
- Minimise
- Re-use where possible
- Recycle on-site if possible
- Private waste will be taken home (no public waste bins to be provided)
- Policy of no disposable cups, plates, etc on site

Site maintenance

The facility will undertake appropriate maintenance standards for public open space. This will involve the following:

Slashing: A slasher has been donated to Ukira specifically for the use at the environmental facility. This will be used in conjunction with a brush-cutter to manage grass and weeds on site. The cuttings will then be collected and used for composting. Costs for fuel and servicing will come from sources outlined in Section 3 Funding.

It is envisaged that Council would hand over the site in a reasonable and good condition with lawns slashed and the current damaged fence repaired.

General Maintenance: General maintenance such as pruning and caring for trees, weeding flower beds, composting and maintaining walkways will be undertaken both with regular working bees and/or a roster basis.

Equipment Maintenance: Equipment such as slashers, tools that require sharpening and miscellaneous equipment will be maintained in conjunction with general maintenance working bees.

Toilet facility

There is no toilet facility proposed for the site. Users will be able to use the Uki Village Public Toilets which is 250 metres from the site.

4.2 Use of organic practice

As the proposed site for the Environmental Facility is adjacent to a sensitive riparian zone, we will adopt organic gardening practices. These will also be safer and healthier for the visitors, gardeners and the general environment.

Organic gardening practices may include:

- Building healthy soil to reduce pest and diseases
- Mulching: use good quality native mulch to reduce water requirements; mulching material to be obtained on site where possible
- Watering: using endemic native species will mean there will be low water requirements. Rainwater will be harvested from the storage shed
- Integrated Pest Management: considering all available techniques and their appropriateness to the site

4.3 Water management

The proposed site drains to the adjacent Tweed River and we will therefore be vigilant in its protection against runoff and fertilisers.

Watering of gardens will be minimal due to species planted and the use of mulching techniques to maintain soil moisture levels at drier times of the year. If required, we will incorporate strategically located swales between the site and the riparian area to temporarily collect water. These would be planted out with appropriate species that require higher nutrition and damp conditions.

Organic fertilisers only will be used and will be stored off the ground in a storage shed located above the high-water mark of the 2017 floods.

Water will be harvested from the roof over the storage shed and be stored in a vandal-proof tank. It will be located to enable gravity feed. Passive harvesting of groundwater runoff may also be conducted via use of groundsheets. If needed, a portable water tank may be used, which could be replenished by in-kind donations from members or supporters.

Rainwater will be used to water gardens and for washing tools.

Potential Flooding of site: The April 2017 floods in Uki were the largest in recorded history with the high-water mark in the Village reaching almost 600mm above the 1954 level. On the proposed site the high water level reached the base of the trunk of the large camphor laurel at the western end of the site. However existing vegetation and cattle yards were left undamaged with some logs and debris left on site. No significant soil erosion resulted to the site. An assortment of seeds and contamination did spill on to the lower areas of the site which may have some impact in the integrity of the existing vegetation and surrounds. Generally, the site has proven resilient to the effect of floods and stormwater inundations.

Resilience to potential flooding: Any structures built on-site, such as the storage shed, will be located above the high-water mark of the recent floods. The compostable bird hide, will be constructed of found branches and bamboo which will naturally decompose and become part of the composting regime of the site.

4.4 Use of sustainable materials on site

Walking tracks – where possible use planted groundcovers, such as native viola, with stepping stones. Where the ground is too damp we will use woodchip or gravel.

Arbor and Bird Hide – compostable materials such as bamboo and found branches

Garden beds – re-use and recycle used natural materials such as timber pallets and cardboard for mulching.

Most of these materials will be installed as they arrive on site and therefore not have a predesignated storage location. Other materials such as fasteners will be stored in the storage shed.

Fencing – maintenance and repair will be undertaken by the management team.

4.5 Garden tools and storage

Tools will be stored in a small lockable storage shed on-site. Tools will be engraved with the name of the Uki Environmental Facility. Maintenance of tools will be on a scheduled maintenance regime as part of the ongoing maintenance of the garden.

4.6 Car parking

There will be no public car parking on the proposed site. 20 parking spaces are available on the northern side of Smiths Creek Bridge which is used for the Uki Buttery Bazaar Markets held monthly in the Uki Village. It is approximately an 80 metre walk to the proposed site. There will be an emergency car parking space on site adjacent to the North-East entry gate.

4.7 Dealing with possible objections to a new Environmental Facility

We will address possible objections to the Environmental Facility as follows:

Odours—there will be minimal odours arising from the Environmental Facility. Minor odours may come from poorly managed compost and the use of some organic fertilisers.

Compost will be located as far away from residences as possible. It will be covered and located downwind with, ideally, sweet scented herbs planted in the vicinity. We plan to use biochar and other low odour products where possible. Any odoriferous fertilisers will be spread on days of little or no wind.

Noise

Construction of garden beds and infrastructure will be undertaken during daylight hours with respect to the neighbours. Neighbours will be notified two weeks in advance if there are any working bees or events held on the site.

Attraction of vandals and undesirables

Vandalism will be addressed by only having a small storage shed on site. The proposed site has the advantage of being on a main road, next to Uki Village in view of adjacent residents. The existing concrete pathway beside the site makes it a high visibility location with low privacy and hence should be less attractive for overnighters. Community awareness about the site and any undesirable activity will be communicated through local networks, newsletters and social media.

We will be adopting secure planting methods for plants in high visibility locations to avoid stealing.

Loss of parking space for local people.

There will be no loss of parking space for local people. Parking is available on the eastern side of Smiths Creek Bridge which is currently only used by people as an overflow carpark during the Monthly Uki Battered Bizarre.

Poor aesthetics of Environmental Facility — this is a subjective perception that depends on how individuals think environmental facilities should look.

There is already a master plan for developing the facility which will guide the aesthetic development of the site. The display model garden and facility approach is a controlled development and therefore maintaining the amenity of the adjacent surrounding area.

Alienation of public open space and benefitting Environmental Facility only to those who participate it.

The unique and vibrant culture of Uki coupled with extensive community consultation has enabled the project to be embraced whole heartedly by its residents. There is a strong ethos around the environmental facility that all people are welcome and all ideas considered. The site itself has previously been alienated from the community by being licenced to individuals for private use. The facility will now open up the site to be used by all.

Vermin – rats and mice – are attracted to poorly maintained composts. Well managed composting maintained vigilantly will ensure the area is contained and vermin-proofed.

4.8 Access

Initially, public opening times will be Saturday and Sunday 10am to 3pm. The site will not be totally secured however the vehicle gate at the north end of the site will have a lock and will be keyed alike to the lock for the storage shed on site. Committee members will each have a key. General public can enquire about joining via signage on-site or facebook page details.

We will have disabled access and one disabled car park space, from the existing carpark on the eastern side of Smith's Creek bridge. Wheelchair access will be provided along the internal walkway as indicated on the attached Site layout. It will take the form of a hardened path with details to be determined before construction.

We will have a statement about access and equity with reference to our facebook page for entrance details.

4.9 Current site usage

The subject site is currently vacant and enclosed by a fence on all sides. There is a vehicular gate at the northern end and an access gate to the Tweed River at the western side of the site. Tweed council currently provides occasional slashing of the site and regeneration work is currently taking place to the west of the site.

We acknowledge the previous licensees of the site and will work co-operatively in the transitioning the proposed site to a community space for the residents of Uki.

To enable a smooth transition to be achieved as an Environmental Facility we will take the following steps:

- Keep Tweed Council informed of any formal activities proposed for the site
- Inform Uki Residents of changes in the site usage through newsletters and noticeboards
- Undertake an audit and photographic record of the site before change of use

4.10 Exit Strategy

In the event that it is decided not to continue the Environmental Facility/community garden on the chosen site the following initial action will be undertaken:

1. Inform Ukira of intention and discuss all options available including alternative sites, roles of management and solutions to issues at hand
2. Call an Extraordinary Meeting to discuss, resolve and/or decide future courses of action including but not limited to:
 - Inform Tweed Council of the intention to relinquish the site
 - Inform Uki Community of the intention to relinquish the site through public notice boards, fb, Uki News and Tweed News
 - Disassemble infrastructure and offer it to community groups/local schools
 - Distribute any monies to UKIRA
 - Conduct working Bees to return site to its original condition

5. Appendix One: Ukira Certificate of Incorporation

PHILLIP CARR
PO BOX 301
UKI NSW 2484

REMOVE THIS TOP SECTION IF ISSUED, BUT OBTAINING



DEPARTMENT OF **FAIR TRADING**
NSW Consumer Protection Agency

Certificate of Incorporation as an Association

THIS IS TO CERTIFY that the undermentioned Association is incorporated in New South Wales under the Associations Incorporation Act, 1984.

Association Name: **UKI VILLAGE AND DISTRICTS RESIDENTS ASSOCIATION
INCORPORATED**

Incorporation No: **INC9875675**

Date of Incorporation: **8 February 2001**

Issued and given under my hand this eighth day of February, 2001.

D B O'Connor
Director-General

6. Appendix Two - Terms of Reference

The following are the Terms of reference of NSW Fair Trading Model Constitution for Incorporated Associations adopted by Ukira.

Part 1 Preliminary

1 Definitions

(1) In this constitution:

ordinary committee member means a member of the committee who is not an office-bearer of the association.

secretary means:

- (a) the person holding office under this constitution as secretary of the association, or
- (b) if no person holds that office - the public officer of the association.

special general meeting means a general meeting of the association other than an annual general meeting.

the Act means the *Associations Incorporation Act 2009*.

the Regulation means the *Associations Incorporation Regulation 2016*.

(2) In this constitution:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of this constitution in the same manner as those provisions would so apply if this constitution were an instrument made under the Act.

Part 2 Membership

2 Membership generally

(1) A person is eligible to be a member of the association if:

- (a) the person is a natural person, and
- (b) the person has applied and been approved for membership of the association in accordance with clause 3.

(2) A person is taken to be a member of the association if:

- (a) the person is a natural person, and
- (b) the person was:
 - (i) in the case of an unincorporated body that is registered as the association - a member of that unincorporated body immediately before the registration of the association, or
 - (ii) in the case of an association that is amalgamated to form the relevant association - a member of that other association immediately before the amalgamation, or
 - (iii) in the case of a registrable corporation that is registered as an association - a member of the registrable corporation immediately before that entity was registered as an association.

(3) A person is taken to be a member of the association if the person was one of the individuals on whose behalf an application for registration of the association under section 6 (1) (a) of the Act was made.

3 Application for membership

(1) An application by a person for membership of the association:

- (a) must be made in writing (including by email or other electronic means, if the committee so determines) in the form determined by the committee, and

- (b) must be lodged (including by electronic means, if the committee so determines) with the secretary of the association.
- (2) As soon as practicable after receiving an application for membership, the secretary must refer the application to the committee, which is to determine whether to approve or to reject the application.
- (3) As soon as practicable after the committee makes that determination, the secretary must:
 - (a) notify the applicant in writing (including by email or other electronic means, if the committee so determines) that the committee approved or rejected the application (whichever is applicable), and
 - (b) if the committee approved the application, request the applicant to pay (within the period of 28 days after receipt by the applicant of the notification) the sum payable under this constitution by a member as entrance fee and annual subscription.
- (4) The secretary must, on payment by the applicant of the amounts referred to in subclause (3) (b) within the period referred to in that provision, enter or cause to be entered the applicant's name in the register of members and, on the name being so entered, the applicant becomes a member of the association.

4 *Cessation of membership*

A person ceases to be a member of the association if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association, or
- (d) fails to pay the annual membership fee under clause 8 (2) within 3 months after the fee is due.

5 *Membership entitlements not transferable*

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6 *Resignation of membership*

- (1) A member of the association may resign from membership of the association by first giving to the secretary written notice of at least 1 month (or any other period that the committee may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.
- (2) If a member of the association ceases to be a member under subclause (1), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7 *Register of members*

- (1) The secretary must establish and maintain a register of members of the association (whether in written or electronic form) specifying the name and postal, residential or email address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members must be kept in New South Wales:
 - (a) at the main premises of the association, or
 - (b) if the association has no premises, at the association's official address.
- (3) The register of members must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (4) A member of the association may obtain a copy of any part of the register on payment of a fee of not more than \$1 for each page copied.

- (5) If a member requests that any information contained on the register about the member (other than the member's name) not be available for inspection, that information must not be made available for inspection.
- (6) A member must not use information about a person obtained from the register to contact or send material to the person, other than for:
 - (a) the purposes of sending the person a newsletter, a notice in respect of a meeting or other event relating to the association or other material relating to the association, or
 - (b) any other purpose necessary to comply with a requirement of the Act or the Regulation.
- (7) If the register of members is kept in electronic form:
 - (a) it must be convertible into hard copy, and
 - (b) the requirements in subclauses (2) and (3) apply as if a reference to the register of members is a reference to a current hard copy of the register of members.

8 Fees and subscriptions

- (1) A member of the association must, on admission to membership, pay to the association a fee of \$1 or, if some other amount is determined by the committee, that other amount.
- (2) In addition to any amount payable by the member under subclause (1), a member of the association must pay to the association an annual membership fee of \$2 or, if some other amount is determined by the committee, that other amount:
 - (a) except as provided by paragraph (b), before the first day of the financial year of the association in each calendar year, or
 - (b) if the member becomes a member on or after the first day of the financial year of the association in any calendar year—on becoming a member and before the first day of the financial year of the association in each succeeding calendar year.

9 Members' liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by clause 8.

10 Resolution of disputes

- (1) A dispute between a member and another member (in their capacity as members) of the association, or a dispute between a member or members and the association, are to be referred to a Community Justice Centre for mediation under the *Community Justice Centres Act 1983*.
- (2) If a dispute is not resolved by mediation within 3 months of the referral to a Community Justice Centre, the dispute is to be referred to arbitration.
- (3) The *Commercial Arbitration Act 2010* applies to a dispute referred to arbitration.

11 Disciplining of members

- (1) A complaint may be made to the committee by any person that a member of the association:
 - (a) has refused or neglected to comply with a provision or provisions of this constitution, or
 - (b) has wilfully acted in a manner prejudicial to the interests of the association.
- (2) The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.
- (3) If the committee decides to deal with the complaint, the committee:
 - (a) must cause notice of the complaint to be served on the member concerned, and

- (b) must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint, and
 - (c) must take into consideration any submissions made by the member in connection with the complaint.
- (4) The committee may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.
 - (5) If the committee expels or suspends a member, the secretary must, within 7 days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the committee for having taken that action and of the member's right of appeal under clause 12.
 - (6) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned, or
 - (b) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under clause 12,
 whichever is the later.

12 *Right of appeal of disciplined member*

- (1) A member may appeal to the association in general meeting against a resolution of the committee under clause 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under subclause (1), the secretary must notify the committee, which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the association convened under subclause (3):
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the committee and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.
- (5) The appeal is to be determined by a simple majority of votes cast by members of the association.

Subject to the Act, the Regulation, this constitution and any resolution passed by the association in general meeting, the committee:

- (a) is to control and manage the affairs of the association, and
- (b) may exercise all the functions that may be exercised by the association, other than those functions that are required by this constitution to be exercised by a general meeting of members of the association, and
- (c) has power to perform all the acts and do all things that appear to the committee to be necessary or desirable for the proper management of the affairs of the association.

14 Composition and membership of committee

(1) The committee is to consist of:

- (a) the office-bearers of the association, and
- (b) at least 3 ordinary committee members,

each of whom is to be elected at the annual general meeting of the association under clause 15.

Note. Section 28 of the Act contains further requirements concerning eligibility for membership and composition of the committee.

(2) The total number of committee members is to be 7.
(3) The office-bearers of the association are as follows:

- (a) the president,
- (b) the vice-president,
- (c) the treasurer,
- (d) the secretary.

(4) A committee member may hold up to 2 offices (other than both the offices of president and vice-president).

(5) There is no maximum number of consecutive terms for which a committee member may hold office.

Note. Schedule 1 to the Act provides that an association's constitution is to address the maximum number of consecutive terms of office of any office-bearers on the committee.

(6) Each member of the committee is, subject to this constitution, to hold office until immediately before the election of committee members at the annual general meeting next following the date of the member's election, and is eligible for re-election.

15 Election of committee members

(1) Nominations of candidates for election as office-bearers of the association or as ordinary committee members:

- (a) must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
- (b) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.

(2) If insufficient nominations are received to fill all vacancies on the committee, the candidates nominated are taken to be elected and further nominations are to be received at the annual general meeting.

(3) If insufficient further nominations are received, any vacant positions remaining on the committee are taken to be casual vacancies.

(4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.

- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers and ordinary committee members of the committee is to be conducted at the annual general meeting in any usual and proper manner that the committee directs.
- (7) A person nominated as a candidate for election as an office-bearer or as an ordinary committee member of the association must be a member of the association.

16 Secretary

- (1) The secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes (whether in written or electronic form) of:
 - (a) all appointments of office-bearers and members of the committee, and
 - (b) the names of members of the committee present at a committee meeting or a general meeting, and
 - (c) all proceedings at committee meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (4) The signature of the chairperson may be transmitted by electronic means for the purposes of subclause (3).

17 Treasurer

It is the duty of the treasurer of the association to ensure:

- (a) that all money due to the association is collected and received and that all payments authorised by the association are made, and
- (b) 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.

18 Casual vacancies

- (1) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- (2) A casual vacancy in the office of a member of the committee occurs if the member:
 - (a) dies, or
 - (b) ceases to be a member of the association, or
 - (c) is or becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
 - (d) resigns office by notice in writing given to the secretary, or
 - (e) is removed from office under clause 19, or
 - (f) becomes a mentally incapacitated person, or
 - (g) is absent without the consent of the committee from 3 consecutive meetings of the committee, or
 - (h) is convicted of an offence involving fraud or dishonesty for which the maximum penalty on conviction is imprisonment for not less than 3 months, or
 - (i) is prohibited from being a director of a company under Part 2D.6 (Disqualification from managing corporations) of the *Corporations Act 2001* of the Commonwealth.

19 Removal of committee members

- (1) The association in general meeting may by resolution remove any member of the committee from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

- (2) If a member of the committee to whom a proposed resolution referred to in subclause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the association, the secretary or the president may send a copy of the representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

20 *Committee meetings and quorum*

- (1) The committee must meet at least 3 times in each period of 12 months at the place and time that the committee may determine.
- (2) Additional meetings of the committee may be convened by the president or by any member of the committee.
- (3) Oral or written notice of a meeting of the committee must be given by the secretary to each member of the committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the committee) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under subclause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business which the committee members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the committee constitute a quorum for the transaction of the business of a meeting of the committee.
- (6) No business is to be transacted by the committee unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the committee:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, one of the remaining members of the committee chosen by the members present at the meeting is to preside.

21 *Appointment of association members as committee members to constitute quorum*

- (1) If at any time the number of committee members is less than the number required to constitute a quorum for a committee meeting, the existing committee members may appoint a sufficient number of members of the association as committee members to enable the quorum to be constituted.
- (2) A member of the committee so appointed is to hold office, subject to this constitution, until the annual general meeting next following the date of the appointment.
- (3) This clause does not apply to the filling of a casual vacancy to which clause 18 applies.

22 *Use of technology at committee meetings*

- (1) A committee meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the committee's members a reasonable opportunity to participate.
- (2) A committee member who participates in a committee meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

23 *Delegation by committee to sub-committee*

- (1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of the member or members of the association that the committee thinks fit) the exercise of any of the functions of the committee that are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the committee by the Act or by any other law.
- (2) A function the exercise of which has been delegated to a sub-committee under this clause may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.
- (3) A delegation under this clause may be made subject to any conditions or limitations as to the exercise of any function, or as to time or circumstances, that may be specified in the instrument of delegation.
- (4) Despite any delegation under this clause, the committee may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this clause has the same force and effect as it would have if it had been done or suffered by the committee.
- (6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this clause.
- (7) A sub-committee may meet and adjourn as it thinks proper.

24 *Voting and decisions*

- (1) Questions arising at a meeting of the committee or of any sub-committee appointed by the committee are to be determined by a majority of the votes of members of the committee or sub-committee present at the meeting.
- (2) Each member present at a meeting of the committee or of any sub-committee appointed by the committee (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to clause 20 (5), the committee may act despite any vacancy on the committee.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

25 *Annual general meetings - holding of*

- (1) The association must hold its first annual general meeting within 18 months after its registration under the Act.
- (2) The association must hold its annual general meetings:
 - (a) within 6 months after the close of the association's financial year, or
 - (b) within any later time that may be allowed or prescribed under section 37 (2) (b) of the Act.

26 *Annual general meetings - calling of and business at*

- (1) The annual general meeting of the association is, subject to the Act and to clause 25, to be convened on the date and at the place and time that the committee thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the committee reports on the activities of the association during the last preceding financial year,
 - (c) to elect office-bearers of the association and ordinary committee members,
 - (d) to receive and consider any financial statement or report required to be submitted to members under the Act.
- (3) An annual general meeting must be specified as that type of meeting in the notice convening it.

27 *Special general meetings - calling of*

- (1) The committee may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The committee must, on the requisition of at least 5% of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must be in writing, and
 - (b) must state the purpose or purposes of the meeting, and
 - (c) must be signed by the members making the requisition, and
 - (d) must be lodged with the secretary, and
 - (e) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in subclause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the committee.
- (6) For the purposes of subclause (3):
 - (a) a requisition may be in electronic form, and
 - (b) a signature may be transmitted, and a requisition may be lodged, by electronic means.

28 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under subclause (1), the intention to propose the resolution as a special resolution.

Note. A special resolution must be passed in accordance with section 39 of the Act.

- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under clause 26 (2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

29 Quorum for general meetings

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under this constitution to vote is present during the time the meeting is considering that item.
- (2) Five members present (being members entitled under this constitution to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.
- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members—is to be dissolved, and
 - (b) in any other case—is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) are to constitute a quorum.

30 Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

31 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in subclauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

32 *Making of decisions*

- (1) A question arising at a general meeting of the association is to be determined by:
 - (a) a show of hands or, if the meeting is one to which clause 37 applies, any appropriate corresponding method that the committee may determine, or
 - (b) if on the motion of the chairperson or if 5 or more members present at the meeting decide that the question should be determined by a written ballot—a written ballot.
- (2) If the question is to be determined by a show of hands, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.
- (3) Subclause (2) applies to a method determined by the committee under subclause (1) (a) in the same way as it applies to a show of hands.
- (4) If the question is to be determined by a written ballot, the ballot is to be conducted in accordance with the directions of the chairperson.

33 *Special resolutions*

A special resolution may only be passed by the association in accordance with section 39 of the Act.

34 *Voting*

- (1) On any question arising at a general meeting of the association a member has one vote only.
- (2) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (3) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid.
- (4) A member is not entitled to vote at any general meeting of the association if the member is under 18 years of age.

35 *Proxy votes not permitted*

Proxy voting must not be undertaken at or in respect of a general meeting.

Note. Schedule 1 to the Act provides that an association's constitution is to address whether members of the association are entitled to vote by proxy at general meetings.

36 *Postal or electronic ballots*

- (1) The association may hold a postal or electronic ballot (as the committee determines) to determine any issue or proposal (other than an appeal under clause 12).
- (2) A postal or electronic ballot is to be conducted in accordance with Schedule 3 to the Regulation.

37 *Use of technology at general meetings*

- (1) A general meeting may be held at 2 or more venues using any technology approved by the committee that gives each of the association's members a reasonable opportunity to participate.
- (2) A member of an association who participates in a general meeting using that technology is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

38 *Insurance*

The association may effect and maintain insurance.

39 *Funds - source*

- (1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, any other sources that the committee determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank or other authorised deposit-taking institution account.
- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

40 *Funds - management*

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used solely in pursuance of the objects of the association in the manner that the committee determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 authorised signatories.

41 *Association is non-profit*

Subject to the Act and the Regulation, the association must apply its funds and assets solely in pursuance of the objects of the association and must not conduct its affairs so as to provide a pecuniary gain for any of its members.

Note. Section 5 of the Act defines **pecuniary gain** for the purpose of this clause.

42 *Distribution of property on winding up of association*

- (1) Subject to the Act and the Regulations, in a winding up of the association, any surplus property of the association is to be transferred to another organisation with similar objects and which is not carried on for the profit or gain of its individual members.
- (2) In this clause, a reference to the surplus property of an association is a reference to that property of the association remaining after satisfaction of the debts and liabilities of the association and the costs, charges and expenses of the winding up of the association.

Note. Section 65 of the Act provides for distribution of surplus property on the winding up of an association.

43 *Change of name, objects and constitution*

An application for registration of a change in the association's name, objects or constitution in accordance with section 10 of the Act is to be made by the public officer or a committee member.

44 *Custody of books etc*

Except as otherwise provided by this constitution, all records, books and other documents relating to the association must be kept in New South Wales:

- (a) at the main premises of the association, in the custody of the public officer or a member of the association (as the committee determines), or
- (b) if the association has no premises, at the association's official address, in the custody of the public officer.

45 *Inspection of books etc*

- (1) The following documents must be open to inspection, free of charge, by a member of the association at any reasonable hour:
 - (a) records, books and other financial documents of the association,
 - (b) this constitution,
 - (c) minutes of all committee meetings and general meetings of the association.
- (2) A member of the association may obtain a copy of any of the documents referred to in subclause (1) on payment of a fee of not more than \$1 for each page copied.
- (3) Despite subclauses (1) and (2), the committee may refuse to permit a member of the association to inspect or obtain a copy of records of the association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the association.

46 *Service of notices*

- (1) For the purpose of this constitution, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) For the purpose of this constitution, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent or, if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

47 *Financial year*

The financial year of the association is:

- (a) the period of time commencing on the date of incorporation of the association and ending on the following 30 June, and
- (b) each period of 12 months after the expiration of the previous financial year of the association, commencing on 1 July and ending on the following 30 June.

Notes.

1. Schedule 1 to the Act provides that an association's constitution is to address the association's financial year.

2. Clause 19 of the Regulation contains a substitute clause 47 for certain associations incorporated under the *Associations Incorporation Act 1984*.

7. Appendix Three: Ukira Public Liability Insurance Policy

11 September 2018

Uki Village & Districts Residents Association
UKI NSW 2484



Local Community
Insurance Services

A division of
Jantline Lloyd Thompson Pty Ltd
ABN 69 005 056 864

Level 1
148 Frome Street
ADELAIDE SA 5000
GPO Box 1693
ADELAIDE SA 5001

Tel: 1300 853 800
Fax: +61 8 8235 6448
Direct: +61 8 8235 6408
Stavroula.Richards@lta.com.au
www.localcommunityinsurance.com.au

Certificate of Currency

Our Ref UKIBUTT-032289

INSURANCE CLASS	Public & Products Liability
INSURED NAME	Uki Village & Districts Residents Association
	The policy is extended to cover the following sub-committees: Ukitopia Activities include art exhibitions; creative workshops; the annual Cabaret 360 (held in local hall); Songwriters music performances (held in local church); refugee support gatherings; small festival-style events. Policy extends to cover community markets with 12 stallholders per month; Joint Community Development and Projects
POLICY EXPIRY DATE	9 September 2019
SITUATION	Worldwide excluding USA & Canada
INTEREST	Legal liability to third parties for injury and/or Damage to Property caused by an occurrence in connection with the Insured's business
LIMIT OF LIABILITY	General Liability \$10,000,000 any one occurrence Products Liability \$10,000,000 any one occurrence and in the aggregate any one Period of Insurance In the event that any one Period of Insurance exceeds twelve months then the aggregate limit of liability shall be deemed to apply separately to each twelve months period or part thereof.
DEDUCTIBLE / EXCESS	\$100 (Property Damage claims only)

INSURER	PROPORTION	POLICY NUMBER
QBE Insurance (Australia) Ltd	100.000%	AT A172000 PLB

This certificate of currency provides a summary of the policy cover and is current on the date of issue. It is not intended to amend, extend, replace or override the policy terms and conditions contained in the actual policy document. This certificate of currency is issued as a matter of information only and confers no rights upon the certificate holder. We accept no responsibility whatsoever for any inadvertent or negligent act, error or omission on our part in preparing these statements or in transmitting this certificate by email or for any loss, damage or expense thereby occasioned to any recipient of this letter.

Yours sincerely,

Stavroula Richards
Account Executive

8.88

8 Appendix Four: Community Consultation

8.1 Community Consultation Record

The following is a record of the community consultation undertaken by the organising group since July 2014.

DATE	Event	Location	No. Attended
9/7/14	Creative Conversations	Uki Cafe	25
13/8/14	Manifesting Uki Gardens	Uki Cafe	7
11/9/2014	Council Meeting	TSC	6
14/9/14	Community Presentation/Discussion	Uki Squaretunda	12
14/3/15	Presentation of UCG concept	Uki Historical Society	10
17/5/15	Display Buttery Bizarre	Uki Buttery	20
June/July Issue	Update Article	Uki News	
Aug/Set Issue	Front page article	Uki News	
Feb/Mar Issue	Update article	Uki News	
Apr/May Issue	Ukira Report mentioned	Uki News	
15/3/15	Community Gardens Open day	Lot 203	40
14/6/15	Tea Party	Uki Cafe	100
2014-2018	UKIRA Meetings	Uki Hall	14
2014-2018	UCG Meetings	Various	30
14/8/15	Presentation of UCG T Shirt concept to Headmaster and parents	Aetomah School	7
18/8/15	Presentation of UCG T Shirt concept	Oosh – Uki Public School	
28/8/15	Presentation of UCG concept	Uki Cafe	20
16/8/15	Presentation of UCG concept	Uki Buttery Bizarre	10
19/9/2015	Information stall at Village Green	Ukitopia	
30/8/15	Talk at Sunday Service including Community Garden Concept	Uki Anglican Church	20
19/9/2015	Workshops for children on gardening	Uki Village Green	30
19/9/2015	The art of Bush Regeneration	Walk through potential community gardens site & riverside with planting of Davidson Plum trees	12
17/9/2016	Guided walk through potential site and riverbank	Uki along riverbank and potential site	10
30/11/16	UCG meeting	Uki cafe	6
14/12/16	UCG meeting	Uki Cafe	5

1/2/17	UCG meeting	Bonnydoon Road Uki	3
17/2/17	UCG meeting	Bonnydoon Road Uki	3
17/5/17	UCG meeting	Bonnydoon Road Uki	3
28/6/17	UCG meeting	Bonnydoon Road Uki	3
4/7/17	UKIRA Meeting	Uki Hall	7
1/8/17	UKIRA Meeting	Uki Hall	7
5/9/17	UKIRA Meeting	Uki Hall	7

Registrations for involvement in Uki Environmental Facility/Community Gardens

DATE	Event	Location	No. Attended
5/9/17	Signed Registrations	Uki District	243

Uki Community Gardens Facebook Page Likes

DATE	Event	Location	No. Attended
5/9/17	Facebook Likes	Tweed District	308

Community Design Competition for Uki Community Gardens/Environmental Facility

DATE	Event	Location	No. of Entries
20/90/2015	T-shirt Design Competition	Uki – Ukitopia Weekend	33

Consultation with immediate surrounding Residents

Date	Location	Undertaken by	Completed/Not Home
14/8/17	1452 Kyogle Road Antiques	Phil Carr & Greg O'Donnell	Completed
14/8/17	1462 Kyogle Road Bakery	Phil Carr & Greg O'Donnell	Completed
14/8/17	1452 Kyogle Road	Phil Carr & Greg O'Donnell	Completed
14/8/17	1444 Kyogle Road	Phil Carr & Greg O'Donnell	Completed
14/8/17	1440 Kyogle Road	Phil Carr & Greg O'Donnell	Completed
14/8/17	1431 Kyogle Road	Phil Carr & Greg O'Donnell	Completed
14/8/17	2A Mitchell Street	Phil Carr & Greg O'Donnell	Not Home
14/8/17	4 Mitchell Street	Phil Carr & Greg O'Donnell	Not Home
14/8/17	6 Mitchell Street	Phil Carr & Greg O'Donnell	Not Home



Entries for the Uki Community Gardens Design Competition – Brief was to design a T Shirt reflecting the spirit of Uki Community Gardens

The following Information highlights some of the community activities and consultation undertaken for the proposal.



Advertisements for Information Day and Open Day

8.2 Partnerships and community engagement

Potential partnerships include:

- local community gardens – Mullumbimby, Chillingham and Murwillumbah
- other environmental facilities - CERES
- local businesses such as the Happy Herb Shop,
- Murwillumbah and Uki Farmers Markets,
- Local schools (Uki Public and Aetaomah)
- Uki Historical Society
- Uki Garden Club
- Ukitopia and Creative Caldera
- Caldera Environment Centre
- Tweed Shire Council and
- Murwillumbah Information Centre.

We will have workshops, events, open days, competitions and working bees to involve the local community.

9. Appendix Five: Background to Project

9.1 Council Classification

The property being applied for as an Environmental Facility is Lot 203 DP 755730 located on Kyogle Road and south of Smiths Creek Road. It is 7230 sq m in area with a perimeter of 875 m.

The applicants seek to enter into a licenced agreement with Tweed Shire Council for use under the LEP zoning of RU5 Village. The objectives of this zone are:

To provide for a range of land uses, services and facilities that are associated with a rural village.

To ensure that new development responds to and respects the character of a rural village.

Environmental Facilities are permitted without consent in this zoning, and defined under Tweed Local Environmental Plan 2014 as follows:

Environmental Facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures

9.2 Supporting documentation

The following documents identify and support the need for an Environmental Facility/ Community Garden in the Uki area:

- Tweed Shire Council Rural Villages Strategy 2016
- Caldera Economic Transition Program – Uki and District Plan August 2009
- Uki's Sustainability Plan 2006

9.3 Alternative Sites

An analysis of possible sites was undertaken for the Environmental Facility in and around the Uki Village area. Four locations were considered as follows:

1. Sweetnam Park – this is a well-used recreational park whose activities include children's parties, picnics, dog walking, exercise area, stop and revive point for travellers and sporting activities. A site with such existing and heavy usage would be unsuitable as an Environmental Facility.
2. John Fowler Fitzhenry Park – this is a small bushy area within the Uki village with a single walking track through it. Although this is located within the village, there is no clear area to establish recreational use or study of natural systems and is unsuitable as an Environmental Facility.
3. Gerald Parker Park – this is a well-used park by travellers for picnics and as a rest area. It is also used by locals for exercise, bike riding and occasional overflow parking from the Uki Sports Ground on the other side of Kyogle Road. It is highly exposed to the fast moving traffic on Kyogle Road and unsuitable as an Environmental Facility.
4. Lot 203 DP 755730 - The proposed site has a background of being a publicly used facility in particularly as a travelling stock reserve. In more recent times it has been privately licenced under official and unofficial agreements with Tweed Shire Council. The site has the following features:
 - natural elevation and vegetation buffer from Kyogle Road providing both acoustic and visual privacy for activities on the site
 - no current public usage
 - ready access to Tweed River for studies and observation
 - potential to form a recreational and cultural link from the existing public areas (eg. Sweetnam Park and walkways) to Uki village
 - is contained within existing fencing and has access via gates from the river bank and Kyogle Road
 - has minimal safety issues, self-contained and easy access
 - contains variable ground elevation to permit appropriate site usage without flood vulnerability
 - has residences in viewing distance to aid site security

In consideration of these four possible sites Lot 203 demonstrates the most desirable attributes for both an Environmental Facility and future Community Gardens.

9.4 Meeting objectives of NSW State Plan 2021

The additional purpose of an Environmental Facility for the site meets the objectives of NSW State Plan 2012 in the key strategy of “Strengthening our Local Environment and Communities – improving our local environments and building a strong sense of community.” It will be a focus for environmental education and fostering community activities which will have a roll-on effect in building the regional economy through education of sustainable practices for farms and associated industries.

9.5 Need for the Environmental Facility

9.5.1 Best public Interest

The location of the proposed site largely contributes to the eastern gateway to the Uki Village. The site is currently uncared for and overgrown with weeds which creates an uninviting message to locals and visitors when entering the village.



Pictures taken of the site on 21st August 2017 illustrating total site area overgrown with grass and various weeds.

In the last 12 months there has been no maintenance of the proposed site apart from the following:

- slashing the northern 50% before the April floods (photos above)
- clearing some site debris after the April Floods resulting in damage to Council's fence to the Tweed River riparian area pictures below).



Pictures taken on 21st August 2017 showing damage to fence resulting from unsuccessfully clearing of debris from site following the April floods. Debris has also been relocated to the riparian area.

An Environmental Facility will provide the opportunity to have a managed maintenance of the site and ongoing beautification of the area. This will create a welcoming effect arriving from the north into Uki village not only from an aesthetic view but also in providing a sense of ownership by village residents of this important public land.

9.5.2 Community Potential

The proposed Environmental Facility will bring the following benefits to the local and broader community:

- Provide families, seniors and youth with a focal point for education and community activities
- Create a point of interest for people visiting Uki
- Capitalise on Uki public infrastructure which in turn increases the value of Uki real estate
- Create more tourism opportunities within the area, with associate flow-on effects for local businesses and enterprises

9.5.3 Meeting current and future community needs/requirements

The Environmental Facility will meet current and future community needs by:

- Bringing the local community together to share, learn and enjoy the natural environment and understand global implications of sustainable practices
- Providing an access point to and along the river for recreation and leisure
- Helping to promote arts, culture and tourism in Uki and the broader Tweed Shire
- Fostering community resilience
- Developing and promoting different options of food security
- Evolving to incorporate a display model community garden

9.5.4 If the Environmental Facility doesn't proceed

If the proposed site does not become an Environmental Facility/Community Gardens the negative implications would be:

- Residents would continue to be unable to access the site
- Opportunities to restore the site and link it to existing rehabilitated and revegetated areas would be lost
- After the high expectations of Uki residents, the prospect of not proceeding would be devastating
- Opportunities for community environmental education will be lost
- Uki's food security would be more vulnerable
- A sense of achievement and ownership for local residents will be denied

10.0 Appendix Six – Example of Procedures

Worksite Risk Assessment



Location:		Work Activity:	
Date:		Weather:	
Time Commenced:		Time Completed:	
Coordinator on Worksite:			

Pre-Planning Checks	Y	N	N/A	Comments / Controls
Site Restoration Plan				
Communication (phone) or hand held two way radio				
First aid kit on site				
Worksite discussion with volunteers prior to works				
General equipment check				
Personal Protective Equipment	Y	N	N/A	Comments / Controls
Enclosed shoes suitable for worksite				
Sun protection (sunscreen / suitable clothing / hat)				
Eye protection				
Gloves				
Insect repellent				
Manual Handling	Y	N	N/A	Comments / Controls
Manual handling tasks identified				
Working with tools eg. loppers, brushhook, shovel				
Chemical Use	Y	N	N/A	Comments / Controls
Identify ChemCert accredited volunteers				
Personal protective equipment (PPE)				
Fresh water supply on site				
Safety Data Sheets (SDS)				
Daily Record Sheets – record herbicide use				
Potential Hazards	Y	N	N/A	Comments / Controls
Manual handling, use of tools and equipment				
Bites and stings				
Fatigue, heat exhaustion, sunstroke, sunburn				
Head and eye injury				
Cuts and bruises				
Herbicide splash on skin or droplet inhalation				
Working near traffic				
Working around water				
Working in windy or stormy conditions				



Incident Injury Hazard Near Miss Report



Report Number:

OHS Registration Number:

Section A			
PERSON COMPLETING THIS FORM:		<input type="checkbox"/> TSC Employee	<input type="checkbox"/> Contractor
		<input type="checkbox"/> Volunteer	<input type="checkbox"/> Public
First Name (s)		Surname	
Home Phone:	Mobile:	Position Title	
INCIDENT TYPE: (Select one only)			
<input type="checkbox"/> Injury / Illness		<input type="checkbox"/> Incident without Injury	<input type="checkbox"/> Hazard
<input type="checkbox"/> Near Miss			
Was there any damage?			
<input type="checkbox"/> Property		<input type="checkbox"/> Plant	<input type="checkbox"/> Environmental
If you selected any of these options please provide a brief description of the damage:			
Police Event #			
Section B			
INCIDENT / HAZARD / NEAR MISS DETAILS			
Date of Incident / Hazard / Near Miss:	/ /	Time if occurred:	AM / PM
Date verbally reported to Supervisor:	/ /	Time reported to Supervisor:	AM / PM
Date this report completed:	/ /	Time this report completed:	AM / PM
Supervisor Name:		Supervisor Mobile Number:	
Specific Location (details on location):			
DESCRIPTION OF INCIDENT / HAZARD / NEAR MISS			
Task being completed:			
Exact work location:			
WITNESS DETAILS (if applicable):	Name:	Phone:	
Full Address:			
Section C			
INJURED / ILLNESS PERSON DETAILS			
First Name:	Surname:	Date of Birth: / /	
Street:	Town:	State:	Postcode:
Home Phone:	Work Phone:	Mobile:	
Payroll Number:	Job Title:	Date started in current position: / /	
INJURY / ILLNESS DETAILS			
<input type="checkbox"/> Lost Time	<input type="checkbox"/> No Lost Time	Date Stopped: / /	Time Stopped: AM / PM
Description of Injury / Illness:			
Treatment Type:			
<input type="checkbox"/> No Treatment Required		<input type="checkbox"/> First Aid	<input type="checkbox"/> Medical Treatment
<input type="checkbox"/> Ambulance			
(Select all applicable)			
<input type="checkbox"/> Hospital		<input type="checkbox"/> Intend to seek Medical Treatment	<input type="checkbox"/> WorkCover Medical Certificate issued
Treatment provided by:		Phone No:	
Description of treatment provided:			
Body part injured (exact location, left/right):			
Is this a pre-existing injury? <input type="checkbox"/> No <input type="checkbox"/> Yes (if yes provide details) Details:			
Did this injury occur outside of work? <input type="checkbox"/> No <input type="checkbox"/> Yes (if yes provide details) Details:			
Employee Signature:			
OHS Section USE ONLY			<input type="checkbox"/> Register Updated
Injury Management Officer:	Date Received: / /	Time:	AM / PM



11. Appendix Seven: - Contacts

Publicity Officer – Melissa Juchau

Council Contact– Greg O'Donnell

Internal Communications – Alison Parr

Overall Coordinator – Greg O'Donnell (0403 203 963/gudhara@bigpond.com)