

## GOOLAWAH CO-OPERATIVE BY-LAWS REVISION

### Reference

Goolawah Co-operative Rules: Rule 9 By-laws

To become a by-law an Ordinary Resolution with 21 days' notice must be proposed and adopted at a General Meeting. It is important to understand the by-laws, and how this might impact the way you live. A breach of a by-law by a member shall be deemed to be an infringement of the rules.

### Ordinary Resolutions

1. To adopt the revised Goolawah Co-operative By-laws December 2023.

**Rationale:** A full revision of the By-laws has not occurred since 2016. The revision will bring the By-laws up to date with current expectations and practice relating to the conduct of members, and the operations and governance of the co-operative. The revision of the By-laws was raised at the April GM 2023. Some directors and members interested in policy met on 18 May to work on the revision and develop a draft for members to consider. A draft was posted on the website for comment in July. An update was posted following the 21 October GM, inviting members to a Community Meeting on the 11 November 2023 to discuss the revision.

**Proposed:** Denise Cobourn

**Seconded:**

2. To adopt the revised Code of Conduct December 2023.

**Rationale:** Rights and Responsibilities are unchanged. Purpose revised and supporting document Grievance Policy and Procedure added.

**Proposed:**

**Seconded:**

3. To adopt the revised Introduced Species Management Plan December 2023.

**Rationale:** The introduced Species Management Plan supports By-law 7: Other introduced species to by-law 7 are not allowed on community land. Members wishing to keep introduced species on their site must consult with their neighbours, complete all sections of the Introduced Species Management Plan (ISMP) (insert link), and submit to the Board for approval and uploading to the website. Controversial plans will be proposed by the board as an Ordinary Resolution with 21 days' notice for voting on at the next General Meeting.

**Proposed:**

**Seconded:**

CURRENT	SUGGESTED REVISION	RATIONALE
1. All members shall abide by the co-operative's Code of Conduct.	Members and guests shall abide by the Co-operative's Code of Conduct. <i>Note: Code of Conduct not reviewed since 2015.</i>	To include everybody. Website comment: Members and their children, and guests...
2. A Director will act as a first port of call for disputes and complaints and facilitate the resolution by guiding the member/s through Rule 22 Disputes and Media5on or the Complaint Management Policy and Procedure.	Delete	Grievance Policy and Procedure (if adopted) is covered under the by-law referring to all policies.
3. Members and their visitors are not to drive faster than 20km in residential areas and 40km in non-residential areas on the co-operative <del>and on both access roads of Nevertire and Illa Langi.</del>	Members and guests are not to drive faster than 20km in residential areas and 40km in non-residential areas on the Co-operative	Visitors are guests. NSW road rules apply to access roads, including speed limits.
4. 'Off roading' or 'bush bashing' is not allowed on the Co-operative.	'Off roading', 'bush bashing' and dangerous driving of cars/motorbikes is not permitted on the Co-operative.	Community discussion – reports of erratic motorbike riding on private sections of the road.
5. Noise emitting machinery (petrol or diesel), including generators can only be used on the co-operative between 7.30am & 6pm during daylight savings, and between 8:30am & 4.30pm at other times. All motors must be adequately muffled to a normal quiet standard and other machinery must to operate in an acceptable quiet manner at all times.	Noise emitting machinery, including generators and pumps can only be used on the co-operative between 7.30am & 6.00pm during daylight savings, and between 8.30am & 4.30pm at other times. All motors must be adequately muffled. Noise that interferes unreasonably with the comfort or rest of others should be stopped upon request.	Community discussion – are the times still suitable? Noise other than machinery is also disturbing. Website comment: should be removed, as likely to facilitate the perceived right of a member to be entitled to silence at any time they decide.
6. Members or visitors are not to go onto another member's home improvement site without that member's permission.	Members and guests are not to go onto another member's site without that member's permission except for official or emergency purposes.	Revised to enable members access for emergency or official purposes.

7. Cats, dogs or firearms are not allowed on the co-operative.	Cats, dogs, hoofed animals, and firearms are not allowed on the Co-operative.	Cloven-footed removed from 8 and changed to hoofed to include horses.
8. All cloven-footed animals are banned from the co-operative. Other introduced species are banned from community land, and anyone wishing to run these on their site must submit a plan of management, with regard to soil/air/water quality, noise abatement and permanent containment, to a general meeting for approval.	Other introduced species to by-law 7 are not allowed on community land. Members wishing to keep introduced species on their site must consult with their neighbours, complete all sections of the Introduced Species Management Plan (ISMP) (insert link), and submit to the Board for approval and uploading to the website. Controversial plans will be proposed by the board as an Ordinary Resolution with 21 days' notice for voting on at the next General Meeting.	Neighbours – consult with or obtain agreement? Questions re neighbours included on ISMP.  ISMP covers soil, air, water quality, noise abatement and permanent containment.
9. The decision to remove any native trees >100mm on the co-operative is to be made by ordinary resolution at a General Meeting and must comply with current legislation. For guidance of removal of trees on a member's site refer the flowchart on the website.	Removal of native trees on community land or individual sites must comply with current land management legislation (Local Land Services Act 2013 and the Biodiversity Conservation Act 2016). Removal of native trees with a diameter greater than 100mm on community land must be approved by an Ordinary Resolution requiring 21 days' notice.	Flowchart on the website contains out of date legislation.
10. Herbicides, pesticides and non-biodegradable detergents and products are not to be used on the co-operative without permission from a meeting.	Herbicides, pesticides, and non-biodegradable detergents/products are not to be used on the co-operative without approval by a General Meeting.	Added General as this was the intent.
11. A member intending to use any of the co-operative's natural resources, must present a written management plan to a general meeting for approval, to ensure that all resources are managed in a sustainable and equitable fashion.	Members intending to use any of the co-operative's natural resources, must present a written management plan by Ordinary Resolution with 21 days' notice to a General Meeting for approval to ensure that all resources are managed in a sustainable and equitable manner.	Ensures plan is advertised with 21 days' notice.

12. Members may take trailer loads of sand from the designated sand mining area, without need for approval. Larger amounts are subject to approval at a general meeting. Sand is not to be removed from the co-operative.	Members may take up to 5 car trailer loads per year of sand from the designated sand mining area without the need for approval. Larger amounts are subject to approval by Ordinary Resolution at a General Meeting. Sand is not to be removed from the Co-operative.	Community discussion - specified 5 car trailer loads per year.
13. All members shall comply with the Fire Action and Land Management Plans.	Members shall comply with Bushfire and Land Management Plans. Fire permits require board approval.	Added - Fire permits require board approval.
14. All members shall comply with Council's Development Consent Conditions and the State Environmental Planning Policy No. 15- Rural Land Sharing Communities (SEPP15), which includes making the co-operative your 'Principal Place of Residence' (refer to co-operative's website – DA Goolawah).	Members shall comply with Council's Goolawah Co-operative Development Consent Conditions. <a href="https://goolawahmembers.files.wordpress.com/2022/09/results-letter-notice-of-orders-made.pdf">https://goolawahmembers.files.wordpress.com/2022/09/results-letter-notice-of-orders-made.pdf</a>	SEPP 15 has been replaced with Kempsey Council Local Environment Plan.
15. Before any occupation or development takes place on individual sites, a Council Development Application must be submitted and approved (refer to co-operative's website – DA Members). This will include an approved grey water system and a dry composting toilet. No pit toilets are to be dug on the co-operative. Functioning home built designs shall comply with NSW Department of Health regulations.	Before occupation or development on individual sites, a Development Application must be submitted and approved <a href="#">Development applications</a> This includes an approved grey water system and a dry composting toilet. Home built designs must comply with NSW Health regulations <a href="#">NSW Health</a> Pit toilets are not permitted at any time.	Information on website is out of date. Some rewording.
16. All members who build dams must consult with and obtain agreement from neighbours and the community prior to construction. A detailed plan must be submitted at a meeting including location, size and vegetation removal. If the dam is not	Members wishing to build a dam on community land, or their site must obtain agreement from neighbours and submit a detailed plan, including size, location, and vegetation removal, by Ordinary Resolution with 21 days' notice to a General	Added OR.

constructed within twelve months the plans must be re-submitted.	Meeting for approval. The plan must be resubmitted if not built within 12 months.	
17. All members who build a structure or a plant tree/s creating shade on their neighbour's site must consult with and obtain agreement from their neighbour prior to building or planting.	Members who wish to build a structure or plant vegetation creating shade on their neighbour's site must obtain agreement from their neighbour prior to building or planting.	Trees changed to vegetation.
18. Members and potential members wishing to use community land, including individual sites, for private enterprise must submit a detailed proposal to a general meeting.	Members wishing to use community land or individual sites for private enterprise must obtain agreement from neighbours and submit a detailed proposal by Ordinary Resolution with 21 days' notice to a General Meeting for approval.	Deleted potential members, added 21 days' notice, and agreement from neighbours.
19. All Directors and Office Holders shall abide by the Delegation Manual for Directors and Office Holders, which includes General Matters, Policies & Procedures, Legal Matters, Complaints Management, Insurances, Banking Receipts & Payments, and Roads & Other Public Works.	Directors and Office Holders are legally obligated to abide by Co-operative National Law and the Co-operative's Rules. Directors and Office Holders must abide by the Delegation Manual for Directors and Office Holders.	Added obligation to abide by CNL and the Rules.
20. All members shall comply with the Membership and Guest Policies. 21. All members shall comply with the Finance Policy. 22. Co-operative machinery shall be used only by active members, and in accordance with the Tractor and Machinery Policy.	Members must abide by all Goolawah Co-operative policies. Policies can be accessed on the Co-operative website at <a href="https://goolawahmembers.com/policies/">https://goolawahmembers.com/policies/</a>	Combined 2, 20, 21, 22.