



Murray Darling Association Inc.

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Region 6 Annual General Meeting

Friday 7th August 2015 10:00am
Coorong District Council Civic Centre, Tailem Bend "Sturt Board Room"

MINUTES

1. ATTENDANCE

1.1 Present

Frank Tuckwell	Chair - Alexandrina Council
Danae Cates	Acting Secretary - Alexandrina Council
Vincent Cammell	Coorong District Council
Vern Leng	Coorong District Council / Private Member
Julie Barrie	Coorong District Council
Sharon Bland	Coorong District Council
Peter Wright	Coorong District Council
Bill Bagley	Private Member
Lesley Fischer	Private Member
Mick Fischer	Private Member
Dianne Henshall	Meningie Narrung Lakes Irrigators Association
Keith Loeser	Private Members
Peter Smith	Murray Watch
Yvonne Smith	District Council Karoonda East Murray
Greg Toll	National President
Robert Sexton	Southern Mallee District Council
Barry Featherston	Alexandrina Council
Michael Scott	Alexandrina Council
Simon Grenfell	Alexandrina Council
Shen Mann	Alexandrina Council
Jarrold Eaton	Department Water Environment & Natural Resources
Simon Bradley	Rural City of Murray Bridge
Helen Dodd	Proxy (Sam Dodd)
Terry Franklin	Murray Watch

2.1 Apologies

Ian Mann, Keith Scobie, Emma Bradbury, Sam Dodd, Lorraine Barber, Bill Patterson

WELCOME

2.1 Welcome to Coorong District Council

Federal President in attendance

Greg Toll provided introduction

Presentation to Frank Tuckwell – Recognition of Service

Deputy Mayor Sharon Bland welcomed MDA R6 to Tailem Bend, Coorong District Council

2.2 Conflict of Interest

The Chair reminded all those in attendance of the Conflict of Interest.

3. MINUTES OF 2014 AGM

3.1 Minutes of the previous Annual General Meeting held on 26 August 2014 at Murray Bridge

***Moved Keith Loeser, Seconded Peter Wright,
CARRIED***

4. BUSINESS ARISING

4.1 From minutes of Annual General Meeting held on 26 August 2014 at Murray Bridge

Nil.

5. CHAIRPERSON'S REPORT 2014/15

5.1 Region 6 Chair Frank Tuckwell Chairperson's Report 2014/15

The outgoing Chair, Frank Tuckwell presented the Chairperson's Report for 2014/15

6. ELECTION OF OFFICE BEARERS FOR 2015/16

Chair declared all positions vacant and requested that CEO Coorong Council, Mr Vincent Cammell assume the role of Returning Officer to conduct the elections. Cr Barry Featherston took the Chair position.

"Point of Order"

Vern Leng raised a Point of Order in relation to his concerns regarding the validity of the elections taking place and what Vern believes to be a breach of the *Associations Incorporation Act of NSW – 2009* and the *Murray Darling Associations' Constitution* relative to this election, which Vern feels will have serious legal ramifications if they are not immediately addressed.

"For the record, I wish to formally table pertinent details relative to my Point of Order and I 'seek leave' of this meeting to distribute copies to those members who do not currently have them;

AND

To allow a suitable time of up to 20 minutes for them to read, consider and discuss the facts presented."

The tabled information, I believe, would resolve the current predicament that we now face and be valid giving all members present, an equal opportunity.

I wish to give notice that I will Move a Motion, which has three (3) distinct parts, which is attached to this Point of Order.

In so Moving, I believe, it is the only way of going forward due to the current problems with our constitution"

Chair Frank Tuckwell raised concerns and disappointment with Vern Leng for not raising this matter with the Chair prior to the commencement of the meeting, however will allow the Point of Order to be undertaken.

Chairman Frank Tuckwell allowed Point of Order, Seconded Peter Smith

Motions proposed by Vern Leng as follows:

I Move that ~

Part A

As an Association, incorporated in NSW, the electoral procedures, distributed to Region 6 members from July 1st 2015, for the election of new Officer Bearers are Unconstitutional in failing to comply with:

- a) Section 25(1) Associations Incorporation Act of NSW
- b) Schedule 1..... Associations Incorporation Act of NSW
- c) Clause 18 Constitutional Amendment to the Constitution

AND

That legally bound by the Associations Constitution & the Associations Incorporation Act, that all Candidate Nominations declared valid at close of business on July 31st are declared Null & Void;

AND

Part B

That as the Constitution of the Murray Darling Association fails to adequately address electoral procedures that:

- 1) Per Section 25 (1) of the Associations Incorporation Act of NSW, that the Model Constitution of the Act be combined, forming a part of our Constitution; and
- 2) In conjunction with Clause 6.4 of the Association's constitution, apply Section 15 of the 'Model Constitution' specified under Schedule 1 of the Act; and
- 3) That the National President urgently calls a Special Meeting of the Board to advise other Regions & members of the Constitutionally required Electoral Procedures prior to other Regional AGM's and the 2015 General Council's AGM in September;

AND

Part C

That for the expediency of this Region's Annual General Meeting that members make a determination between Option 1 or Option 2 of this Part prior to voting on the Motion;

Option 1:

- A. To avoid any further delay, Clause 15(1)(b) of the Model Constitution be waived and that all financial members present at this meeting be entitled to Nominate for one of more of the Regional Executive positions per clause 6.4; and
- B. That all candidates complete a valid Association Nomination Form that will be hand to the National President or in his absence, the Chair of the meeting, as the Returning Officer; and
- C. That those candidates who haven't, as of July 31st, supplied a biographical statement of their background, skills and attributes that they will bring to the Region, be required to make a 5 minute presentation to the members present, including their acknowledgment, if elected, to perform all duties assigned to them by the Regions Office Bearers.
- D. That the role of the Chair's Member Council continue to supply & support a suitably qualified Secretariat to work in conjunction with the Regional Secretary.

Option 2:

- A. That all financial members present at this meeting be entitled to Nominate for one of more of the Regional Executive positions per Clause 6.4; and
- B. That they complete a valid Association Nomination Form;
- C. That those candidates who hadn't, as of July 31st, be required to supplied a biographical statement of their background, skills and attributes that they will bring to the Region either in writing or be required to make a 5 minute presentation to the members present at the next AGM, including an acknowledgment, if elected, to perform all duties assigned to them by the Regions Office Bearers.
- D. That the role of the Chair's Member Council continue to supply & support a suitably qualified Secretariat to work in conjunction with the Regional Secretary.
- E. That will be hand to the National President or in his absence, the Chair of the meeting, to be delivered to the Association's Secretary, at least seven (7) days prior to another Regional AGM date to be set prior to September.

In favor of Vern Leng Motion

Support 6

Against 8

Motion Lost

Moved Keith Loeser, Seconded Peter Smith

That this meeting be deferred for until 4th September 2015 (can be changed if required), all positions declared vacant and fresh nominations be called for.

Motion Lost

Amendment to motion (Vern Leng),

That a valid nomination form be used to comply with the current constitution.

Chair advised he is unable to accept amendment as it is not what the parent body is asking.

Chair advised that he is directed by the Federal Board to conduct this Annual General Meeting today, including the elections.

Point of Order – Barry Featherston advised that whilst during a meeting that is already underway – he doesn't believe a meeting can be deferred.

Elections to take place.

The following nominations for the position of Region Chair have been received

Cr Barry Featherston

Cr Vern Leng

Total of 21 votes lodged (1 informal vote, 20 formal votes)

Cr Barry Featherston Elected

The following nominations for the position of Vice Chair have been received

Cr Sharon Bland

Mrs Lesley Fischer

Cr Vern Leng

Cr Julie Barrie

Total of 16 votes lodged (2 informal votes, 14 formal)

Mrs Lesley Fischer Elected

(Only one Vice Chair to be elected)

Chairman Barry Featherston advised that in the past we have had more than one vice chair, seeking thoughts from the group.

RESOLUTION

That Region 6 continues to retain 3 Vice Chairs and one Vice to be classified as Senior Vice Chair, to be determined by the remaining nominations and votes received.

Moved Peter Smith, Seconded Keith Loeser
CARRIED

2nd Deputy Vice Chair – Vern Leng

3rd Deputy Vice Chair - Julie Barrie

Moved Peter Smith, Seconded Keith Loeser

CARRIED

Secretary Position

No formal nominations received.

Vern Leng nominates Cr Sharon Bland, Cr Sharon Bland declined.
Cr Bland suggests that the Deputy Vice Chair can fulfill the role of Secretary

Peter Smith nominates self for Secretary
Lesley Fischer nominates self for Secretary
Cr Julie Barrie nominates self for Secretary

Lesley Fischer withdrew her nomination for position of Secretary

Returning Officer asked for show of hands for those in favor of Julie Barrie or Peter Smith to fulfill the role of Secretary.

Julie Barrie – 11 votes
Peter Smith – 4 votes

Cr Julie Barrie elected Secretary

7. ANY OTHER BUSINESS

7.1 Frank Tuckwell briefly discussed the matter regarding Fur Seals.

7.2 Progress Freshwater Research Station – endorsed by Alexandrina Council, Shen Mann (Alexandrina Council) to provide brief update during ordinary meeting following AGM.

7.3 Cr Michael Scott suggests the first task for the new executive is to ensure the Constitution is accurate and reflects the organization itself.

ACTION: Chair Barry Featherston advised that he will raise this issue with MDA to ensure Constitution is accurate and meets the needs of all Regions.

Moved Keith Loeser, Seconded Vern Leng

That the board be asked to release copies of the *Draft* Constitution to be supplied to all member councils as soon as possible.

CARRIED UNANIMOUSLY

8. NEXT MEETING

8.1 The next AGM of the Murray Darling Association, Region 6 will be held in August 2016.
Date and venue to be advised.

Note: Coorong District Council offered to host the meeting.

8.2 That the next Annual Conference be held in mid-late August, not September to avoid clashes with the Royal Show. Chair will raise with the Board.

9. CLOSE

*The Murray Darling Association acknowledges and thanks
Coorong District Council for their support in
Hosting this meeting of Region 6*