

File 'Bodhi'

1.

## FAX DOCUMENT FROM PETER HAMILTON

1/50 Paterson Street, Byron Bay, 2481 (02) 6685 8648 (F/T) email: peterh@nor.com.au

✓ TO: ..... Warwick Fisher .....

FAX No: ..... DATE: ..... 9-4-03 .....

Number of pages (including this sheet): ..... 6 .....

SUBJECT: ..... Review of Bodhi "Agreements" .....

COMMENTS: ..... Herewith "Coord Coops" Motions re what has  
been found to be "items of concern" which may  
be of interest in your Review. See in particular  
items 42, 44-48. ....

Regards

Peter.

# CO-ORDINATION CO-OPERATIVE LTD

117 Upper Tuntable Falls Rd

Mail: CMB Tuntable Falls, Nimbin NSW 2480

ABN: 70 853 661 208

Phone 02 6689 1005 Fax 02 6689 1005

## AGENDA FOR A.G.M. 2003

Meeting 10.00 am Saturday 12th April & Sunday 13th April.

Movers, seconders and voters must be active.

1. Minutetaker
2. Active members present
3. Chairperson
4. Apologies
5. Non contentious
6. Minutes of the last AGM
7. Business arising from the minutes
8. Reports from outgoing Board
9. Report from the Auditor
10. Appointment of Auditor

**Motion:** that Ruthfords be reappointed as the Co-op's Auditors

**Motion:** that we authorise the Board to investigate the possibility of replacement of the current Auditor

11. Budget (to Dec 31st 2003)

**Motion:** that we accept the proposed budget for the financial year Jan 1, 2003 to Dec 31st 2003

12. Appointment of Returning officers
13. Declaration of vacancies
14. Election of new Board Members

## SPECIAL RESOLUTIONS( 2/3 majority)

15. **Special Resolution :** that Rule 1 'Definitions ' include ' Convenor' means 'Chairman'  
Moved : Rose
16. **Special Resolution:** that the word 'Chairman ' be replaced throughout the Rules with the word 'Convenor'  
Moved : Rose
17. **Special Resolution :** that Rule 1 'Definitions ' include 'Co-ordinator' means 'Director'  
Moved : Rose
18. **Special Resolution :**that the word 'Director ' be replaced throughout the Rules with the word 'Co-ordinator'  
**Moved: Rose**
19. **Special Resolution:** that Rule 1 'Definitions' include 'Resident Member' means a member residing on the Co-operatives property at Tuntable Falls, NSW for at least 3 months in the financial year.  
**Moved: Ian**



20. **Special Resolution:** that we amend Rule 9(a) 'Objects' to read  
 "that the objects of the Co-operative shall to *co-ordinate* a community of persons living and working *co-operatively on common property* in a total creation enviroment of discovering, learning and perfecting modes of living, works of art, forms of communication, methods of awareness, and skills of cultivation, craft and construction and sharing responsibility for the quality of all life.  
**Moved:** Lisa Yeates
21. **Special Resolution:** that we renumber Rule 9 ' Objects' and include as new Rule 9(b)(i) "To support the principle of modest cost housing(cottages,cabins) and 'kitchen' gardens, with strong emphasis on protection and restoration of the local natural enviroment, and opposes the trend to speculative building and development."  
**Moved :** Lisa
22. **Special Resolution:** that we renumber Rule 23 'Application for Membership & Shares' - Rule 23A  
**Moved : Saraswati**
23. **Special Resolution:** that we include in our Rules :-  
 Rule 23B 'Share Premium'  
 a) new members shall pay a share premium of \$2500 on thei first share, except for children under the age of 18yrs of active resident members, who shall be exempt.  
 b) the share premium shall be refundable on a pro rata basis during the first two years of membership.  
**Moved** Rose
24. **Special Resolution:** that we add to Rule 23B paragraph (c), which reads :-  
 the Share Premium is not payable more than once in a lifetime of any individual  
**Moved :** Kali                      **2nd :** James
25. **Special Resolution:** that we amend Rule 48 "Repayment of Expelled Members Share Capital " to show a (d) in front of the last paragraph  
**Moved:** Harry                      **2nd :** Rose
26. **Special Resolution:** that we amend Rule 85 'Financial Year' to read :- tha financial year of the Co-operative shall end on March 31st  
**Moved :** Saraswati
27. **Special Resolution:** that the following paragraph be added to Rule 91 "Co-operative Funds":-  
 91(e) It shall not be competent for the Society to mortgage or otherwise encumber its community lands without a special resolution. The lands and property known as 64 Cullen St, Nimbin, 180 Upper Tuntable Falls Rd, Nimbin and 234 Newton Drive, Nimbin may be leased or mortgaged by a resolution of the Board.  
**Moved :** Rose
28. **Special Resolution:** that we amend Rule 98(d)"Annual Levy" to read :-  
 A further reduction, up to 50%, is available for menbers who *contribute* 40 hours of work on a Co-op approve community project, or a pro rata amount for less than 40 hours work.  
**Moved :** Saraswati
29. **Special Resolution:** that we delete Rule 98 (d)(i) from our Rules  
**Moved :** Rose

30. **Special Resolution:** that we delete from Rule 99 "Schedule of Fees" the following :-  
 School Joining Fee \$100 max/child/year  
 Annual School Fee \$500 max/child/year  
 Moved :Rose
31. **Special Resolution:** that we amend Rule 99 'Schedule of Fees' to replace the words 'Members Joining Fee' with the words 'Share Premium'  
 Moved : Rose

## GENERAL BUSINESS

32. **Motion :** that the Annual levy (cash component) be raised by \$50 to \$650 ( plus \$65 GST)  
 Moved : Saraswati
33. **Motion :** that the Co-op budget include the sum of \$12,000 to pay wages for an office worker/ quickbooks operator.  
 Moved : Saraswati
34. **Motion :** that this AGM set Board members meeting allowance for 2003-2004 as per Rule 68(b) at \$20 per meeting the amount not exceeding the cash levy  
 Moved : Rose
35. **Motion :** That we include in Bylaw 9 "Annual Levy" as paragraph (e) - Rule 98(d)(i)  
 The Co-op operate a work contribution system with the members having the option of using LETS credit ( in the current year) instead of the cash equivalent  
 Moved : Saraswati
36. **Motion :** that we replace the motion in Appendix A 1997 "Social Support Committee" with and create a new Bylaw :-  
 That a Social Support Committee be formed. The duties of this committee shall include conflict resolution between and on behalf of members, guests; and facilitation of home and community care  
 Moved : Saraswati
37. **Motion :** That the Social Support Committee be given professional training in conflict resolution if required, to be paid for by the Co-op  
 Moved : Saraswati
38. **Motion :** that this A.G.M. recommend to the Board that four projects be identified for the purpose of work levies for the year.  
 1) Hall - including fundraising, Community Centre and surrounds  
 2) Co-op building maintenance  
 3) Environment - organised projects  
 4) Office help  
 Moved : Saraswati
39. **Motion :** that we add to Bylaw 2 "Site Application Procedure" as paragraph (f) and renumber subsequent paragraph :-  
 That after approval of a flagraised site at a Tribal meeting the applicant is given an interim site number and is charged the full cash component of the Annual Levy as per Rule 98(m)  
 Moved : Rose
40. **Motion :** that we include in Bylaw 3 "Forfeiture of Occupancy" new paragraph (f) and renumber subsequent paragraphs



That the Co-op procedure for recovering debt by valuing and selling assets be extended to asset rental under circumstances where this might be to the advantage of the Co-op or ex-shareholder

**Moved :** Kali

- 41 **Motion :** that we amend Bylaw 4(d) "Buildings" to read :-

'All householders are required to install an LCC-approved waste management system'

**Moved :** Lisa Yeates

- 42 **Motion :** that we amend Bylaw 6 "Rental & Housing" preamble-

A member may not without the prior written permission of the Society transfer, let, license or assign or otherwise dispose of any building erected on the Society's land. A member may not without similar permission allow any persons except members of the member's immediate family to live on any site upon which he has a licence to occupy other than for genuine bona-fide short term guests. *The Co-op bears no responsibility for the condition of members houses offered for rental or transfer.* The Society's decision as to whether any person is a bona-fide short term guest shall be final and binding. The permission of the Society shall only be granted under the following conditions:

**Moved :** Harry

- 43 **Motion :** that we amend Bylaw 6 (b)

Priority shall be given to active members who make *written application to the Board* in respect of the dwelling, however if the neighbours reasonably feel that some other candidate (who is willing in principle to become a shareholder) is preferable then such a priority shall not be absolute

**Moved :** Harry

- 44 **Motion :** that we amend Bylaw 6 (e) to read :-

*A member wishing to rent or transfer their dwelling must inform the Board in writing and inform the resident membership by way of a notice on the housing section of the Society noticeboard, and is at no time advertised in any real estate agency*

**Moved :** Harry

- 45 **Motion :** that we amend Bylaw 6(f) to read

In the case of a transfer, *if considerable improvements have been made to the dwelling a licenced valuer should be engaged through the Board. This valuation should then be used as a basis for negotiation of the actual transfer price.* Upon request to the board a second valuation by an independent valuer can be arranged.

**Moved :** Harry

- 46 **Motion :** that we amend Bylaw 6 to include

*The Co-operative may overrule any tenancy agreement with a non-shareholder tenant, after adequate consultation with the tenants host.* Any problem arising from a guest .....

**Moved :** Harry

- 47 **Motion :** That we delete Bylaw 7 "Style and Goals of Development" if accepted as a Rule in "Objects".

**Moved :** Lisa Yeates

- 48 **Motion :** that we include in Bylaw 8 "Shares" new paragraph (f) :-

That people intending to become shareholders are required to attend not less than 6 Tribal meetings in the 12 months before applying for their share

**Moved :** Saraswati

- 49 **Motion :** that we add to Bylaw 10 "Guests" and renumber subsequent paragraphs

i) hosted by an active resident member who *shall* introduce said guest at the next available Tribal meeting

ii) *the host shall return to a subsequent Tribal Meeting with the guest having completed the Rental and Caretaking form including signature of neighbours.*

**Moved :** Rose

**50 Motion :** that we add to Bylaw 10 Guests :-

Guest of resident shareholders be required to become share holders of the Co-op within 3 years of initial residency

**Moved :** Christine O'Brien

**51 Motion :** that we move Bylaw 10 Guest to become Bylaw 7 and renumber subsequent Bylaws

**Moved :** Rose

**52 Motion :** that we amend Bylaw 22 (c) "Vehicles"-

Dead or abandoned vehicles (those which have not moved under their own power for six months or more) should be promptly brought to *the Co-ops recognised collection area to await the crusher*. In some cases they may be temporarily stored within hamlet confines for parts etc. Vehicles abandoned in the commons or inappropriate areas of the property may be removed and disposed of by the Co Op and the cost plus 50% charged to the responsible shareholder (including hosts of guests).

**Moved :** Harry

Thankyou for being here

BE 11-203

■ We recently attended a friend's wedding where the celebrant stated, 'life is a gift'. We also heard a US senator state, in response to the loss of American lives on 9/11, that 'no cause, no belief, no ideology ever justifies the taking of an innocent life'.

Being among a large number of people here and overseas unconvinced of the circumstances for the taking of a large number of Iraqi lives,

we feel a helpless sense of outrage that this should happen in my name.

We are two of 65% of people who do not support war with Iraq. As a statement that we do not support this war, that war is not the way, we have placed a white flag in our garden.

It is not the flag of surrender. It simply means we believe that war is not the way, that life is a gift and that no cause, no belief, no ideology justifies the taking of innocent life.

We are anticipating a forest of white flags in the Tweed and Byron shires - how about it?

**Raine Sharpe, Ken Golding**  
Burringbar



## A Money Management Proposal for Bodhi Farm

### *What is a budget*

A budget is a plan.

Budgeteers sit down and decide what income and what expenses they can reasonably expect to encounter in the next year. The budget is thus formed and those who are interested can see how the farm is performing against the budget or plan and make adjustments to either the plan (our expectations) or the expenditure and income (our behaviours).

The advantage of these budgets and the process of creating them is that for a small investment in planning we can all see how we are going against the plan and all contribute to keeping to the plan, rather than leaving it to the treasury group and then complaining they don't do it the right way or well enough. We get to take the responsibility as well as the decisions.

Budgets and budget reports are not panaceas for financial troubles but they do provide information about adherence to the plan. Thus a budget is really only effective if it is well planned and if the farm is able to adjust its behaviour in response to information from it. In the past we haven't really budgeted in the true sense, though Denise has provided a very close approximate to it. What we did was to set savings targets and "quarantine" certain sums of money. This process doesn't really take into account the situations where we would overspend (or under achieve in income) in some category, which would put pressure on the quarantined amounts.

### *Some new names*

In a good budget, ALL expected expenses are identified and planned for. This should include all capital costs such as roads, water etc as well as a component for contingency. Thus I think our budget and our language should include **CONTINGENCY** which is an amount of money set aside for the unplanned and/or usual expenses such as a new dam or a new set of solar panels or whatever. We would agree in advance how much of our income was to be quarantined for contingency and track that through our budget reports. We would only spend from the contingency after agreement from a farm meeting.

In addition, a credit budget would plan that in any given year we would *Spend-Less-Than-We-Earn*. In other words the budget should be framed so that the projected income exceeds the projected expenditure by an agreed amount. If we are all good boys and girls and stick to the budget we will have excess at the end of the year and we will increase our **RESERVES**. In years when we "blow" the budget we will be spending from these reserves and the treasury group will make suggestions such as reducing expenses next year increasing kitty. Or the farm could agree in advance that this year we will have a deficit budget and reduce our reserves.

And we don't need to use the confusing word "Savings".



### ***A suggested process***

1. Using previous years figures the treasury group frames a draft budget in time for the AGM each year.
2. That a budget meeting be held at the AGM each year to discuss and alter this draft budget but at the end of the AGM we have an agreed budget for the next 12 months.
3. This budget should include an income component of **CONTINGENCY**, the farm to agree on this amount each year, bearing in mind the current size of the contingency income carried forward from previous years.
4. That the quarterly budget reports be discussed at a farm meeting and alterations to the budget or kitty be agreed if we are losing or have lost contact with the budget and/or reality.
5. That agreement be reached at the AGM to transfer any excessive **RESERVES** to **CONTINGENCY**.
6. The farm will from time to time set or adjust the size of the **RESERVE**.

### ***The role of the treasurer***

The treasurer will

- Form the draft budget
- Convene and participate in the budget planning meeting at the AGM
- Enter the final budget into the system
- Enter all data into the system
- Pay bills
- Transfer money between accounts to maximise interest income and to manage cash flow.
- Provide quarterly budget reports and make recommendations for change to the budget or kitty.
- Provide exception alerts at a farm meeting when the budget seems under threat during and threat.
- Harass everyone to pay his or her kitty.

Bill 3/10/2002

## NATIONAL SERVICE & CONSCIENTIOUS OBJECTORS

When Gough Whitlam put an end to our involvement in the Vietnam War, the National Service Act (1951) was not repealed. It is still on the statute books and can be reapplied anytime, without the support of either house, whenever the government of the day so chooses. From memory it covers males from 18 to 40 years.

### Legal aspects

The Constitution provides protection to religion but that hasn't helped conscientious objectors much because the courts have said that sending people off to war doesn't forbid them from practicing their religion.

Since the onset of the Vietnam War conscientious objectors have relied on Section 29a of the National Service Act - with much more success.

*S29a (1) A person whose conscientious beliefs do not allow him to engage in any form of military service is, so long as he holds those beliefs, exempt from liability to render service under this Act.*

*(2) A person whose conscientious beliefs do not allow him to engage in military duties of a combatant nature but allow him to engage in duties of a non-combatant nature shall not, so long as he holds those beliefs, be required to engage in duties of a combatant nature.*

*(5).....a conscientious belief is a conscientious belief whether the ground of the belief is or is not of a religious character and whether the belief is or is not part of the doctrines of a religion.*

Here is part of the judgement from a typical case wherein the conscientious objector was successful.

"The appellant gave evidence before me and called his father as a witness. He said that he could not kill anyone because of his humanitarian convictions and because he was a Christian. The only instance under which it would be permissible to kill was as a civilian protecting his family. The whole purpose of the army was to destroy life and he could not in clear conscience take part in the army."



But get this. Later in that judgement the old fart said

"In dealing with an appeal of this kind, one must put aside entirely any feelings one may have, one way or the other, as to conscientious objectors, and realise that the legislature has made provision for their exemption...."

As that statement reflected the very strong societal prejudice against conscientious objectors in general society, I am led to the conclusion that our young men may indeed mount a successful case for exemption if they so desired, but will require great moral fortitude in the face of strong social disapproval.

wgf

## NATIONAL SERVICE & CONSCIENTIOUS OBJECTORS

When Gough Whitlam put an end to our involvement in the Vietnam War, the National Service Act (1951) was not repealed. It is still on the statute books and can be reapplied anytime, without the support of either house, whenever the government of the day so chooses. From memory it covers males from 18 to 40 years.

### Legal aspects

The Constitution provides protection to religion but that hasn't helped conscientious objectors much because the courts have said that sending people off to war doesn't forbid them from practicing their religion.

Since the onset of the Vietnam War conscientious objectors have relied on Section 29a of the National Service Act - with much more success.

*S29a (1) A person whose conscientious beliefs do not allow him to engage in any form of military service is, so long as he holds those beliefs, exempt from liability to render service under this Act.*

*(2) A person whose conscientious beliefs do not allow him to engage in military duties of a combatant nature but allow him to engage in duties of a non-combatant nature shall not, so long as he holds those beliefs, be required to engage in duties of a combatant nature.*

*(5).....a conscientious belief is a conscientious belief whether the ground of the belief is or is not of a religious character and whether the belief is or is not part of the doctrines of a religion.*

Here is part of the judgement from a typical case wherein the conscientious objector was successful.

"The appellant gave evidence before me and called his father as a witness. He said that he could not kill anyone because of his humanitarian convictions and because he was a Christian. The only instance under which it would be permissible to kill was as a civilian protecting his family. The whole purpose of the army was to destroy life and he could not in clear conscience take part in the army."



But get this. Later in that judgement the old fart said

"In dealing with an appeal of this kind, one must put aside entirely any feelings one may have, one way or the other, as to conscientious objectors, and realise that the legislature has made provision for their exemption...."

As that statement reflected the very strong societal prejudice against conscientious objectors in general society, I am led to the conclusion that our young men may indeed mount a successful case for exemption if they so desired, but will require great moral fortitude in the face of strong social disapproval.

wgf