

# **CONSTITUTION OF THE CHERRY PARK HOUSE MANAGEMENT COMMITTEE , KERIKERI. (July 2018)**

## **Contents:**

1. Description
2. Cherry Park House Management Charter
3. Definitions
  
4. Committee
5. Committee Meetings
6. Role of the Committee
  
7. Annual General Meetings
8. Special General Meetings
9. Conduct of the Meetings
  
10. Altering the Constitution
  
- 11 . Money and other Property
12. Finances
  
- 13 . Winding Up

## **7. Description:**

- 1.1 The name of the building shall be CHERRY PARK HOUSE
- 1.2 The location is 160 Landing Road, Kerikeri, 0230.
- 1.3 The legal description of the property is Part Lot 2 DP 37646.
- 1.4 The property and House is owned by the FAR NORTH DISTRICT COUNCIL.
- 1.5 Control is vested in the BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD
- 1.6 The community board has delegated the authority to oversee the house's operation to the CHERRY PARK HOUSE MANAGEMENT COMMITTEE on behalf of the Far North District Council.

## **2. Cherry Park House Charter:**

Cherry Park House is a learning and meeting facility, established as a venue to provide educational and activity programmes, for people with a wish to enlarge their horizons and to share with others.

The purpose of the CHERRY PARK HOUSE is to provide a venue for the furtherance and culture of Arts and Crafts and Associated interests, for the residents of Kerikeri and immediate environs.

To this end, facilities are provided for the holding of Meetings, Symposiums, Workshops, Displays and Exhibitions relating to the interests of the community.

## **3. Definitions:**

**3.1** The end of the financial year is 31<sup>st</sup> MARCH.

**3.2** A business meeting is a Committee, Annual General or Special General meeting of CHERRY PARK HOUSE MANAGEMENT COMMITTEE at which formal business is conducted that may require a vote.

**3.3** For any of the voting entitlements at an AGM or Special General Meeting a member is defined as anyone who is a resident of Kerikeri or its immediate environs.

**3.4** Majority vote means a vote made by more than half of the members who are present at the meeting and entitled to vote.

**3.5** Written notice means any communication by post, electronic means (including email and website posting), and must include an advertisement in local periodical when notifying members about the AGM.

## **Management**

### **4. Committee**

4.1 The management of the operation of Cherry Park House shall be vested in a committee consisting of no less than 5 (five) or more than 7 (seven) members, all of whom shall be elected annually.

4.2 The Officers of the Cherry Park House Management Committee shall be the Chair, the Secretary, and the Treasurer.

The officers shall be appointed from the elected members of the committee by a unanimous vote of that committee.

In addition, a Community Board member will be seconded to the committee to provide a liaison and advisory role, but shall not hold an office on the committee, but has voting rights.

4.3 The appointed Chair shall hold that office for no more than four (4) consecutive years, and all members of the committee shall serve for no more than six (6) consecutive years.

4.4 The committee shall be elected at an AGM and shall hold office until the conclusion of the election of officers at the next succeeding AGM.

**4.5** If a vacancy exists on the committee then a member can be co-opted by the committee to serve *as a member of the committee with full voting rights* and their term of service shall expire at the following AGM.

**4.6** Nominations to the committee duly agreed by the nominee, when proposed and seconded shall be delivered in writing to the *Returning Officer* at least fourteen (14) days before the date specified for the AGM. *The nominee, proposer and seconder must be anyone who is a resident of Kerikeri or it's immediate environs.*

4.7 Committee members may resign office by giving not less than twenty-one (21) days' written notice to the committee.

## **5. Committee Meetings**

5.1 There shall be no fewer than four (4) committee meetings a year.

5.2 If any members of the committee absent themselves from two (2) consecutive committee meetings without prior notification to the committee, they shall be deemed to be no longer a committee member.

5.3 At committee meetings matters shall be decided by a simple majority of votes of the eligible committee members present.

5.4 In the absence of the Chair from a committee meeting, the Chair for the meeting is to be elected by the committee members present.

5.5 Special committee meetings may be called at any time by the Chair or by any three (3) members of the committee upon seven (7) days' prior notice being given to all committee members with details of all matters proposed to be discussed.

**5.6** A quorum for a Committee meeting is *four (4)* committee members.

## **6. Role of the Committee:**

6.1 The Secretary shall ensure that minutes are kept of all annual general, special general and committee meetings.

- 6.2 The secretary shall maintain an Inventory of all furniture, fixtures and fittings which are the property of Cherry Park House , showing also date of purchase or acquisition, and the value.
- 6.3 The secretary shall post the minutes of all committee meetings on the Cherry Park House Notice Board for the benefit of all user groups.
- 6.4 The committee will be responsible for all bookings, fee collections and resolving any operational issues
- 6.5 The committee is responsible for all operational expenditure, including water, power and cleaning.
- 6.6 The committee is responsible for internal maintenance, refurbishments, and purchase of replacement equipment but not for building renewals.
- 6.7 The committee is responsible for insurance (if needed) of the House committee's chattels, such as chairs, tables, and crockery.
- 6.8 The committee shall ensure that a record is kept of all user groups, with contact information, which shall be made available, if requested, from any other user groups.
- 6.9 All matters relating to the operation of Cherry Park House not otherwise provided for in this Constitution shall be dealt with by the committee in consultation with the Far North District Council.

## Meetings

### 7. Annual General Meetings:

- 7.1 The Annual General Meeting (AGM) shall be held once in each year, not later than twelve weeks after the end of the financial year. At least twenty-eight (28) days' written notice shall be given to all members.
- 7.2 The business of the AGM shall include:
- Confirming the minutes of the last AGM and of any special general meeting held after it;
  - Receiving and approving the Annual Report of the Chair;
  - Receiving and approving the Treasurer's *reviewed* accounts and reviewers report;
  - Appointing a financial reviewer to check the accounts for the following financial year;
  - Considering and approving the charges applied to user groups for the use of Cherry Park House;
  - Considering and determining proposals to alter this Constitution.
  - Electing the members of the Cherry Park House Management Committee.
- 7.3 Quorum for an Annual General meeting is twelve (12) members

## **8. Special General Meetings**

8.1 A Special General meeting may be convened at any time upon a resolution of the committee.

8.2 At least twenty-eight (28) days' notice of the meeting including details of any proposed resolutions shall be given to all members.

8.3 Quorum for Special General Meeting is twelve (12) members

## **9. Conduct of the Meetings:**

9.1 The Chair shall preside over all annual general, special general and general meetings. In the absence of the Chair, a chair shall be selected by and from those committee members in attendance.

9.2 Each member has the right to one vote on each motion that has been formally proposed and seconded at annual general or special general meetings.

9.3 All matters except for changes to the constitution shall be decided by a simple majority vote.

9.4 Voting on changes to the constitution is governed by Clause 10 Alterations to the Constitution.

9.5 At the discretion of the Chair, except where directed otherwise by a resolution of the meeting, voting at meetings shall be by voice, show of hands or secret ballot. There shall be no provision for proxy votes.

## **10. Alterations to the Constitution:**

10.1 This Constitution may be amended with the assent of not less than two thirds (2/3) of those members present and voting at an annual general or special general meeting.

10.2 Twenty-eight (28) days' notice shall be given to members stating the intention to put forward such a resolution provided, however, that any alterations to the constitution of the Cherry Park Management Committee do not change the purpose of the facility.

10.3 No additions to or alterations of the aims, personal benefit clause or winding up clause shall be made which affect the non-profit body status of the organisation. The provisions and effect of this clause shall not be removed from

this document and shall be included and implied in any document replacing this document.

## **11. Money and other Property:**

11.1 Money or other assets means any real or personal property or any interest therein owned or controlled to any extent by the Cherry Park Management Committee.

11.2 All of the income and property of Cherry Park Management shall be applied solely towards the objectives of Cherry park House and none of it shall be paid or transferred in any way to its committee members, except as provided by the constitution.

11.3 Payment in good faith of reasonable expenses to any member (other than a committee member) may be made and repayment may be made of out of pocket expenses properly incurred by members including committee members in the course of the work of Cherry Park House Management.

11.4 The organisation does not have the purpose of making a profit for the Far North District Council, or member and prohibits a distribution of property in any form to a member, and has a constitution that prohibits a distribution of property in any form to a member.

## **12. Finances:**

12.1 All costs, charges and expenses authorised by the committee incidental to the management of Cherry Park House may be defrayed from the funds of the organisation.

12.2 The committee may use email or other electronic means to consult and make decisions by majority vote between committee meetings. Any decisions must be recorded, by resolution, in the minutes of the next regular committee meeting.

12.3 The Treasurer shall keep records of all money received and expended on behalf of the Cherry Park House Management Committee and shall prepare and publish the *Financial Statement and the Reviewer's report* for discussion at the AGM. All monetary transactions shall be made through properly authorised accounts in accordance with the requirements and direction of the committee.

12.4 The treasurer will prepare statistical information on the usage of the House, income received and any investments made in the house.

12.5 The committee shall appoint three (3) of its members as the authorised signatories for all monetary transactions. Any two of the three must sign to authorise each transaction.

12.6 No committee member shall be held responsible for any loss caused by his or her action, or by the action of any agent employed by that member or other committee members on behalf of the committee, if such action is properly authorised, is carried out in good faith within the confines of the authorisation, and if no fraud or wrong doing on the part of the committee member, is involved.

12.7 Approval at an AGM or special general meeting is required for any expenditure for any item or group of items over the sum of \$2000 (two thousand dollars).

### **13. Winding Up**

13.1 The Cherry Park House Management Committee may at any time be wound up by a resolution to that effect carried by a simple majority of members present and voting at a special general meeting convened for that sole purpose.

13.2 In the event that the Cherry Park House Management Committee is wound up, after all its liabilities have been met any surplus assets shall be handed over to the BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD.