

DTE BOARD MINUTES

Date: 19/08/2021

Time: 7:30 pm

Venue: Zoom

Join Online: https://data.dte.org.au/meeting/current_meeting/portal.php

1. Meeting Started

7:34pm

2. Chair and Minute keeper

Chair: Gary Lasky

Minute keeper: Vanessa Ernst

3. Acknowledgement of Country

We gather on the lands of many Aboriginal Nations. We pay our respects to Elders past, present and emerging. Indigenous sovereignty has never been ceded in Australia and we should endeavour to be mindful of this in everything we do, given our focus is gathering to create better ways of living in our society, not just for festival attendees but for all.

4. Attendance

Kathy Ernst Suzie Helson Coral Larke Elisa Brock Kate Shapiro Gary Lasky Troy Reid	John Magor Marte Kinder Peter Tippet Trevor Pitt Caryn Kettle Andrew Wilkinson Mark Rasmussen Darrylle Ryan Vanessa Ernst Ellen Brogan Tania Morsman	Marty Schwarz Rick Gill Lance Nash Rohan Levy Robin Macpherson Graham Fleming Deb Moerkerken David Cruise Jack Wells Malcolm Matthews
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5. Director Inactivity Points at start of meeting

Date	Kathy	Suzie	Coral	Gary	Elisa	Kate	Troy
22/7/21	0	0	0	0	0	0	0
7/07/21						4	
??/??/??	??	??	??	??	??	??	??

6. Director Inactivity Points from previous meeting (if undecided at that meeting)

Date	Kathy	Suzie	Coral	Gary	Elisa	Kate	Troy
22/07/21							

7. Confirmation of Previous Meeting Minutes

Deferred until next meeting

8. Matters arising from Minutes

9. Correspondence

20210803 John Reid.pdf

20210804 Elisa Brock for Coral Larke.pdf

20210804 Murray LLS Production Advice Edition 62.pdf

20210805 Aaron Shipperlee.pdf

20210805 Elisa Brock.pdf

20210805 Sue Helson.pdf

20210805 Troy Reid Budget Application Form.pdf

Complaints and personal

20210610 Martin Schwarz.pdf – letter about site access

20210708 Edward River Council Rate Notice FYE30June2022.pdf

20210722 Philip Bateman [1684].pdf

20210723 Gayle Reynolds [1670].pdf

20210728 Australia Post.pdf

20210730 Murray River Council Rate Notice FYE30June2022.pdf

20210617 NSW Dept Planning Industry & Environment

20210618 Origin Energy

20210630 Local Land Services

10. Matters arising from Correspondence

Response to Marty's letter – see 'Action Tasks from this Meeting'

11. Action tasks from previous meetings

12. Motions by Circular

9/8/21 On legal advice the board advises that currently there is no casual vacancy until the disputes resolution is complete. Proposed by Coral Supported by Elisa, Kate, Gary passed 9/8/21

9/8/21 On legal advice the Board declares that currently there is no casual vacancy on the board. Proposed by Coral Supported by Elisa, not passed

9/8/21 "That the legal advice sent from Mark Williams to directors on Friday 6 August be distributed to the OC and members via ocmal@dte.org.au, oc@dte.org.au and oc@dte.coop as soon as possible. Proposed by Suzie, supported by Kathy, opposed by Elisa, not passed

13. Agenda Item: Notification to the Registrar of Auditor Resignation attempt 2 13259 13274 13304 13331 13348 13370

Agenda details: I believe we are in breach of Section 310(12) of the CNL. (12) Within 14 days after: (a) the removal from office of an auditor of a co-operative; or (b) the receipt of a notice of resignation from an auditor of a co-operative; the co-operative must: (c) lodge with the Registrar a notice of the removal or resignation in the approved form; The previous time that I raised this, the meeting was told that there was no form for this purpose. I have now located the form (Form 0726) and verified with CAV that it is the correct form. There was also doubt cast about whether the auditor had resigned. The CNL specifies when an auditor's resignation takes effect: Section 310 (10) The resignation of an auditor of a small co-operative does not require the consent of the Registrar under subsection (6), and takes effect: (a) on the day (if any) specified for the purpose in the notice of resignation; or (b) on the day on which the notice is received by the co-operative; whichever is the later. The auditor's resignation took effect on 25 September 2020 as that was the date his letter signed on 24 September reached the Board by email as he resigned 'with immediate effect'.

Motion: That the Cooperative Secretary lodge Form 0726 with the Registrar within 7 days.

Item by: Kathy Ernst

[https://data.dte.org.au/files/2020%2009%2025%20David%20Taplin%20\(TBT%20Accounting\)%20re%20auditor%20resignation.pdf](https://data.dte.org.au/files/2020%2009%2025%20David%20Taplin%20(TBT%20Accounting)%20re%20auditor%20resignation.pdf)

Moved: Kathy Ernst

Seconded: Suzie Helson

Proposed Amendment: that the Cooperative Secretary lodge Form 0726 with the Registrar within 7 days of written confirmation of auditor resignation from David Taplin received by the Board.

Moved: Coral

Seconded: Troy

P.B.M.

Amended Motion: that the Cooperative Secretary lodge Form 0726 with the Registrar within 7 days of written confirmation of auditor resignation from David Taplin received by the Board.

P.B.M.

14. Motion: Trevor Pitt Resignation

Motion that the Board accepts the membership cancellation request from member Trevor Pitt (#1767) with the refund of \$10 membership shareholding being offset by the \$10 administrative fee as effective of the date received (6 July 2021).

Moved: Coral
Seconded: Suzie
P.B.C.

15. Agenda item: Membership

Motion "that subject to DTE rule 5 clause 5(f) and in response to Board correspondence from an active member reporting a membership irregularity relating to COVID-19 pandemic disrupting the primary activity of the cooperative, the Board hereby determines that all currently active members are deemed to have fulfilled the active membership provisions for financial year ending 30 June 2021 and that such determination be immediately communicated to all active members."

Moved: Elisa
Seconded: Suzie
P.B.C.

16. Motion: Budget

Motion that the budget application received 5-Aug-2021 from Troy Reid for \$582.70 be approved for immediate disbursement.

Moved: Troy
Seconded: Coral
P.B.C.

10:23pm - meeting extended by 15 minutes

17. Agenda item: Auditor

Motion: 'That the Board agrees to the members' request and appoints Daniel Tai of Ax3 Partners as DTE's auditor starting with the 2020/2021 Financial Reports for the 2021 AGM'.

Moved: Kathy

Proposed Amendment: that the Board meets with the Daniel Tai of Ax3 Partners within the next 2 weeks with a view to considering their appointment as auditor as per CNL s298.

Moved: Troy
Seconded: Elisa
P.B.C.

Amended Motion: that the Board meets with the Daniel Tai of Ax3 Partners within the next 2 weeks with a view to considering their appointment as auditor as per CNL s298.
P.B.C.

18. Summary of Carried Resolutions

- 1) Motion: that the Cooperative Secretary lodge Form 0726 with the Registrar within 7 days of written confirmation of auditor resignation from David Taplin received by the Board.
- 2) Motion that the Board accepts the membership cancellation request from member Trevor Pitt (#1767) with the refund of \$10 membership shareholding being offset by the \$10 administrative fee as effective of the date received (6 July 2021).
- 3) Motion “that subject to DTE rule 5 clause 5(f) and in response to Board correspondence from an active member reporting a membership irregularity relating to COVID-19 pandemic disrupting the primary activity of the cooperative, the Board hereby determines that all currently active members are deemed to have fulfilled the active membership provisions for financial year ending 30 June 2021 and that such determination be immediately communicated to all active members.”
- 4) Motion that the budget application received 5-Aug-2021 from Troy Reid for \$582.70 be approved for immediate disbursement.
- 5) Amended Motion: that the Board meets with the Daniel Tai of Ax3 Partners within the next 2 weeks with a view to considering their appointment as auditor as per CNL s298.

19. Action Tasks from this Meeting

- 1) Kate and Secretary to respond to Marty’s letter
- 2) Gary to communicate with David Taplin regarding the confirmation of auditor resignation
- 3) Troy to carry out the actions in Trevor Pitt’s resignation letter (removal of all of Trevor Pitt’s information unless legally required)

20. Director Inactivity Points from this meeting

Date	Kathy	Suzie	Coral	Gary	Elisa	Kate	Troy
05/08/21	0	0	0	0	0	0	0

21. Next Meeting Date & Time Confirmation

02/09/2021

22. Meeting Ended

10:46pm