



## **BY LAW NO. 1**

### **DRESS CODE FOR RESIDENTS AND GUESTS**

The item below was written into the Minutes as a Bylaw, being Bylaw No. 1 for the Village Links Members Club Inc (formerly Opal Gardens Residents Club Inc).

A motion to provide a Dress Code at Vantage Logan Village Links (formerly Opal by Living Gems) was carried at a General meeting held on 14 December 2012.

The Dress Code is the result of a request from Park Management and was constructed by residents at the time. An addition to the Dress Code regarding the wearing of hats and caps was included and agreed at a Management Committee meeting held on 30 March 2015.

1. Residents and their guests are to be fully clothed when moving around the outside of their dwellings in view of other residents.
2. Singlets are not permitted inside the Club facilities.
3. Footwear must be worn at all times inside the Club facilities.
4. Hats or caps are not to be worn inside the Club facilities except on festive occasions or under special circumstances.
5. Swimwear, wet or dry, is not permitted inside the Club facilities.
6. Glass is prohibited inside the pool area or near the pool fence.



## **BY LAW NO. 2**

### **INAPPROPRIATE BEHAVIOUR**

The item below was written into the Minutes of 14 December 2021, of the Management Committee monthly meeting as Bylaw No. 2 for the Village Links Members Club Inc (formerly Opal Gardens Residents Club Inc).

A motion was moved, seconded and carried by the Management Committee at the meeting. The motion read as follows:

“To create a by-law, re penalties, for inappropriate behaviour by a member, after explanation of behaviour, to include the warning process of first warning, second warning, third warning, as per the Incorporated Associations Act”.

The motion provided a means of dealing with inappropriate behaviour of any member or members at at Vantage Logan Village Links (formerly Opal by Living Gems).

By-law No. 2 is the result of members complaint concerning incidents of inappropriate behaviour by some members of the Club within the Resort. This is particularly important within the licensed liquor areas which can have serious repercussions affecting the Liquor Licence, held in trust for the members by the Management Committee.



### **BY LAW NO. 3**

### **GENERAL MEETINGS**

The item below was written into the Minutes of 14 December 2021, of the Management Committee monthly meeting as Bylaw No. 3 for the Village Links Members Club Inc (formerly Opal Gardens Residents Club Inc).

A motion was moved, seconded and carried by the Management Committee at the meeting. The motion read as follows:

“Notice of motion to create a by-law that the management committee call at least three general meetings per annum to disseminate management committee business of interest to the body of members in the interests of connecting with all members of this social based association.”

The motion provides a means of ensuring that the Management Committee call at least three (3) general meetings per year to inform the members of management committee business and activities. General meetings are to be held a minimum of three times each year.

By-law No. 3 is the result of committee members endeavouring to ensure that all members are well informed of all business conducted by the management committee.



## BY LAW NO. 4

### GRIEVANCE PROCEDURE

#### 1. Grievance procedure

- (1) This rule sets out a grievance procedure for dealing with a dispute under the rules between parties as mentioned in Section 47A(1) of the Act.
- (2) To remove any doubt, it is declared that the grievance procedure cannot be used by a person whose membership has been terminated if the rules provide for an appeal process against termination.
- (3) A member (the aggrieved party) initiates the grievance procedure in relation to the dispute by giving a notice in writing of the dispute:
  - (a) to the other party; and
  - (b) if the other party is not the management committee, to the management committee.
- (4) If two or more members initiate a grievance procedure in relation to the same subject matter, the management committee may deal with the disputes in a single process and the members must choose one of the members (also the aggrieved party) to represent the members in the grievance procedure.
- (5) Subject to Rule 2, the parties to the dispute must, in good faith, attempt to resolve the dispute.
- (6) If the parties to the dispute cannot resolve the dispute within 14 days after the aggrieved party initiates the grievance procedure, the aggrieved party may, within a further 21 days, ask the Association's secretary to refer the dispute to mediation.
- (7) Subject to Rule 2, if the aggrieved party asks the Association's secretary to refer the dispute to mediation under subrule (6), the management committee must refer the dispute within 14 days after the request.

#### 2. Grievance procedure not continued in particular circumstances

- (1) This rule applies if:
  - (a) a member initiates a grievance procedure in relation to a dispute and the Association or Association's management committee is the other party to the dispute; or

- (b) the aggrieved party asks the Association's secretary to refer the dispute to mediation under Rule 1(6).
- (2) The management committee does not have to act under rule 1(5) or (7) if:
- (a) the aggrieved party has, within 21 days before initiating the grievance procedure, behaved in a way that would give the management committee grounds for taking disciplinary action under the rules against the aggrieved party in relation to the matter the subject of the grievance procedure; or
  - (b) before the grievance procedure was initiated, a process had started to take action under the rules against the aggrieved party or terminate the aggrieved party's membership, as provided for under the rules, and the dispute relates to that process or to a matter relevant to that process; or
  - (c) the dispute relates to an obligation under the Liquor Act 1992 or any other State law to prevent the entry of the aggrieved party to, or to remove the aggrieved party from, premises used by the association, or to refuse to serve liquor to the aggrieved party at the premises; or
  - (d) the dispute could reasonably be considered frivolous, vexatious, misconceived, or lacking in substance or the dispute relates to a matter that has already been subject of the grievance procedure.

### **3. Appointment of mediator**

- (1) If a dispute under rule 1 is referred to mediation-
- (a) the parties to the dispute must choose a mediator to conduct the mediation; or
  - (b) if the parties are unable to agree on the appointment of a mediator within 14 days after the dispute is referred to mediation, the mediator must be:
    - (i) for a dispute between a member and another member-a person appointed by the management committee; or
    - (ii) for a dispute between a member and the management committee or the association - an accredited mediator or a mediator appointed by the director of the dispute resolution centre.
- (2) An accredited mediator may refuse to be the mediator, or the director of a dispute resolution centre may refuse to appoint a mediator to mediate the dispute.
- (3) If subrule (2) applies, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

#### **4. Conduct of mediation**

- (1) If a mediator is appointed under rule 1, the mediator must start the mediation as soon as possible after the appointment and try to finish the mediation within 28 days after the appointment.
- (2) Subrule (1) does not apply if the mediator is the director of a dispute resolution centre.
- (3) The mediator:
  - (a) must give each party to the dispute an opportunity to be heard on the matter the subject of the dispute; and
  - (b) must comply with natural justice; and
  - (c) must not act as an adjudicator or arbitrator; and
  - (d) during the mediation, may see the parties, with or without their representatives, together or separately.
- (4) The parties to the dispute must act reasonably and genuinely in the mediation and help the mediator to start and finish the mediation within the time required under subrule (1)
- (5) The costs of the mediation, if any, are to be shared equally between the parties unless otherwise agreed
- (6) If the mediator cannot resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

#### **5. Representation for grievance procedure**

- (1) A party to a dispute may appoint any person to act on behalf of the party in the grievance procedure.
- (2) If a party appoints a person under subrule (1) to be the party's representative, the party must give written notice of the appointment to each of the following entities:
  - (a) the other party to the dispute;
  - (b) the management committee;
  - (c) if a mediator has been appointed before the party appoints the representative - the mediator.
- (3) A representative who acts for a party at a mediation must—
  - (a) have sufficient knowledge of the matter the subject of the dispute to be able to represent the party effectively; and
  - (b) be authorised to negotiate an agreement for the party

**6. Electronic communication for grievance procedure**

Any meeting or mediation session required under the grievance procedure may be conducted by electronic means if the parties to the dispute and, for a mediation, the mediator agrees

Dated: 14 April 2024

NOTE: this By-Law No. 4 replaces By-Law No. 4 dated 24 March 2023



## BY LAW NO. 5

### VOTING PROCEDURES FOR ANNUAL GENERAL MEETINGS

The procedure for voting at Annual General Meetings will be by “secret Ballot” only.

The following procedure is designed eliminate the risk of identifying members and their voting choices. The procedure will consist of the following steps.

1. Ballot and/or proxy forms will be distributed to members via their letterbox a minimum of 14 days prior to the date of the AGM. This will include a plain white envelope with a place for the members name, signature and Villa number.
2. The completed ballot/proxy forms, which are not to be signed in any way, are placed within the envelope provided and sealed. Each voting person’s name, signature and Villa number is to be written in the space provided on the outside of the envelope. The envelope is then deposited into the designated letterbox which can only be accessed by the “returning officer”.
3. The returning officer will collect the envelopes daily and keep them in a secure location accessible only by the returning officer. This will continue up to the end of the designated voting period.
4. On the day of counting of votes, the names on the front of each envelope will be recorded as having voted. The ballot/proxy forms are then removed from each envelope and the envelopes placed in one box and the ballot/proxy forms in another. This is to be done to ensure no correlation between the names on the envelopes and the ballot/proxy forms.
5. The votes on each ballot/proxy form are then recorded on the master tally sheet. The total number of ballot/proxy forms should be the same as the number of recorded voters. The results of the votes are then kept secure by the returning officer.
6. On the day of the AGM, the returning officer will provide the current Committee with the results of all motions only. The result of any election of officers will be provided by the returning officer at the appropriate time during the AGM.
7. The envelopes and ballot paper are then provided to the Committee for archiving.

13 February 2024