

## **GUIDELINES FOR GARDEN COMMITTEE**

The Executive Committee of Abbotsford Cove Community Association has published these Guidelines for the conduct of proceedings and functions of the Garden Committee. The aim is to help promote a climate of honesty, openness and trust in dealings with both fellow residents and contractors, and to reduce the opportunity for accusations of unfair treatment or favouritism. The Guidelines will also contribute to continuity of practice and knowledge as Garden Committee membership changes from year to year.

The Executive Committee expects that these Guidelines will establish minimum standards for the operation of the Garden Committee and for dealings with our Garden Contractor. The Executive Committee expects the Guidelines to be observed in practice unless approval is obtained in advance from the Executive Committee. The Guidelines and all other aspects of the Garden Committee are always subject to change by decision of the Executive Committee or ACCA.

The Garden Contractors are contracted by ACCA to provide gardening and lawn maintenance services on the Community Association's Property and professional advice in relation to these areas. They are responsible for the supervision of their staff, compliance with all statutory and OH & S requirements and the relevant insurances.

ACCA elects a Garden Committee to consider issues relating to gardening and lawn maintenance, and to develop policies for the improvement of gardens and lawns.

ACCA and the Garden Committee should seek to promote good working relationships with contractors and to make such relationships harmonious and mutually beneficial.

### **Garden Committee Procedures and Functions**

The size and membership of the Garden Committee are decided at the ACCA Annual General Meeting. The AGM may decide on an amount that the Garden Committee can spend at its own discretion. The Chairperson of the Garden Committee will be appointed by the Executive Committee from one of the Executive Committee members.

The first Garden Committee meeting of the new financial year will be convened as soon as practical after the Annual General Meeting by the Chairman. The first meeting of the year will elect the Convenor and any other officers the meeting thinks appropriate to the functioning of the Garden Committee.

A quorum at Garden Committee meetings is half the members. Members who cannot be present may appoint a proxy to represent them or may give their proxy to another member. Proxies must be notified in writing or by email. Decisions at

Garden Committee meetings are by simple majority of those members present in person or by proxy. Tied votes result in the motion being lost.

Any agenda items submitted by members of the Garden Committee must be included on the agenda for the next meeting. Every agenda must include an item for General Business (items without notice). Items arising under General Business can be decided at that meeting. Agenda items to ratify actions or decisions made outside a Garden Committee meeting or a walkaround are invalid.

A copy of the Agenda must be distributed to each Garden Committee member at least five days before the meeting date. A copy of the Minutes for each meeting will be distributed to each Garden Committee member within five days after the meeting and before any decisions of the meeting are implemented.

Decisions may also be made at walkarounds only if there is general agreement between those present (the representatives of the Garden Committee and the representatives of the contractor). A copy of the walkaround notes must be distributed to Garden Committee members and the contractor before any decisions of the walkaround are implemented.

Decisions of the Garden Committee must be for the general benefit of ACCA, not favouring particular residents or lots or Garden Committee members.

The Garden Committee must make a recommendation to the Executive Committee and/or ACCA and have it approved before any major tree is removed or before any significant or potentially controversial landscaping or gardening change is implemented. Where Council approval is required, it must be obtained before the recommendation is made.

ACCA pays the contractor to provide expert service and advice. It is not the role of ACCA, the Garden Committee or the Convenor to micro-manage its contractors or their staff in the performance of their contracted services. Contractors are not employees of ACCA and are free to provide the contracted services in the manner they see fit without interference in the details of delivery of those services.

It is not the role of Garden Committee members to undertake gardening or gardening related matters.

The Garden Committee must not attempt to exceed the conditions of the contract or coerce the contractor as this would expose ACCA to legal and financial risk.

### **Contract Reviews**

The Garden Committee on behalf of the Executive Committee facilitates the calling of tenders for the annual maintenance of the Abbotsford Cove Community Association lawns and gardens. The Garden Committee is to review the scope of works and tender request documentation and submit this to the Executive

Committee for approval prior to issuing it to the approved List of Tenderers for pricing.

The Tender List should include at least three(3) Professional Garden Contractors with a proven record in maintaining properties of an equivalent size and standard as Abbotsford Cove. The incumbent Garden Contractor should always be included on the Tender List unless there are serious performance issues in the maintenance of the lawns and gardens.

The Garden Committee is to review the tenders and prepare a report and its recommendation for submission with a copy of the tenders to the Executive Committee Meeting prior to the Annual General Meeting. The appointment of the Garden Committee's recommended contractor can only be confirmed at the Abbotsford Cove Community Association Annual General Meeting. The process must not commence prior to the last quarter before the Annual General Meeting of the Community Association and without the approval of the Executive Committee.

To maintain confidentiality during the tendering process, contractors must submit written tenders to ACCA's strata manager by the due date.

### **Chairperson**

The Chairperson of the Garden Committee will be nominated by the Executive Committee from one of the Executive Committee members, his/her main roles being:

- nominate the date and times of meetings,
- in conjunction with the Secretary, prepare and distribute an agenda for each meeting,
- chair all meetings of the Garden Committee, and
- liaise with and report to the Executive Committee and ACCA on matters related to the operations of the Garden Committee and the contractual arrangements with the Garden Contractor.

The Chairperson may delegate responsibility for any actions to other members of the Garden Committee as required.

### **Convenor**

The Convenor's main roles are:

- to be the Garden Committee's point of contact with the Garden Contractor,
- to be a recognisable point of contact for residents on gardening matters (as are the other members of the Garden Committee), and
- to prepare a report that the Strata Manager can include with the Notice of Meeting before every general meeting of ACCA. The report must

include a summary of expenditure from the Garden Committee's discretionary amount.

It is vital that the Convenor facilitates prompt confirmation to the contractor of Garden Committee and walkaround decisions and timely communication to the Garden Committee of issues raised by the contractor. Communications with the contractor should be by letter or email and should be copied to all Garden Committee members, so that all have a common understanding.

The Convenor does not direct the contractor, or decide policy or implementation details, or change decisions of the Garden Committee or of the walkaround group.

The Convenor has no authority to spend money without approval of the Garden Committee or the walkaround group.

In cases of real emergency, such as storm damage causing safety concerns, the Convenor can authorise action by the Garden Contractor or other contractors (such as for tree or landscaping services) based on the Garden Contractor's advice, after obtaining the agreement of the Chairperson and Council, where it is required,(such as for pruning or removal of trees).

Issued by resolution of:

Executive Committee  
Abbotsford Cove Community Association  
October 2006