

The Illawarra Greens Constitution

Amended Version Sept 2021 – Accepted by Illawarra Greens Oct 2021

1 THE ILLAWARRA GREENS

1.1 This is the Constitution of the Illawarra Greens, a Green political organisation active in the Illawarra region. Its major role is to conduct campaigns in federal, state and local government elections. This Constitution is designed to support the operation of the Illawarra Greens through practices of goodwill and trust.

1.2 The coverage of the Illawarra Greens is the Wollongong (and Shellharbour) Local Government Areas, as gazetted in July 2011 or as updated from time to time.

1.3 Definitions within this constitution include:

1.3.1 Any reference to “The Group” will mean the member of Greens NSW who have nominated the above Local Government Areas as their chosen locality.

1.3.2 “Elected Representative” will mean those members elected to positions of the Group, members elected to Public Office or any member elected by the Group to represent them in any way.

1.3.3 “Green Agenda” The policies and platforms as developed by the Australian Greens, both separately or in conjunction with the Greens NSW, and other State based Greens organisations as outlined in the Charter of the Australian Greens.

2 RELATIONSHIP TO THE AUSTRALIAN GREENS AND THE GREENS NSW

2.1 The Illawarra Greens endorses the Charter of the Australian Greens, as amended 2020, or as updated from time to time.

2.2 This constitution is subordinate to the constitution of The Greens NSW, of which the Illawarra Greens is a member group, which is in turn subordinate to the constitution of the Australian Greens.

2.3 The Illawarra Greens shall promptly discharge any financial obligations as required by The Greens NSW.

3 AIMS AND PHILOSOPHY

The Illawarra Greens vision for the future of our area includes:

- Value and protect our beautiful escarpment, forests, waterways and coast and do not let planning decisions compromise them.
- Put people’s needs before developers’ profits. Build infrastructure before new developments.
- Consult and collaborate with Dharawal people to promote healing and protect our Aboriginal heritage.
- Make it convenient and pleasant for people to walk, cycle or catch the train or bus, and safe for children to walk to school.

- Take advantage of the transition to clean energy and manufacturing to create jobs in green steel making, offshore wind, green hydrogen production and export, and in innovation and research.
- Net zero carbon emissions by 2030.
- Celebrate our city's diversity as a proud union town and home to people speaking over 80 languages. Ensure that everyone is welcome and has a right to a secure home and basic services.
- Make our cultural and sporting life thrive so that everyone has opportunities to express themselves, play and have fun.

This is predicated on the Four Principles described below.

I ECOLOGICAL SUSTAINABILITY

- To ensure an environmentally responsible future for all humans and other lifeforms by encouraging government, business and industry to reduce greenhouse gasses and other harmful emissions.
- To maintain biodiversity, to preserve wilderness areas, to end degradation of natural ecosystems and to protect plant and animal species from extinction.
- To abandon the addiction to a perpetual growth in resource consumption and to end the pollution and degradation of land, water and air.
- To transform the nature of work and consumption so that they are safe, socially useful and environmentally benign.
- to encourage, develop and assist work that is safe, fairly paid, socially useful, personally fulfilling and not harmful to the environment;
- to encourage and facilitate more flexible work arrangements, on-going education.

II. SOCIAL EQUALITY

- To support every person's right to a life purpose and dignity and to the satisfaction of such needs as housing, clothing, food, community support, and personal development.
- To replace the hierarchical, competitive and oppressive values of our existing society with caring and needs oriented values.
- To abolish inequalities based on gender, sexual preference, age, disability, race, nationality, or belief systems.
- To recognise self-determination and land rights for Australia's original inhabitants.
- To respect and recognise the values of indigenous, migrant, and refugee cultures leading to a truly multicultural Australia.
- The Illawarra Greens are committed to women, men and those with other gender identities having equal status within society and will practice gender equity and equal opportunity, including where appropriate affirmative action.
- At no time will any member be discriminated against within the Illawarra Greens due to gender, age, race, ethnicity, class, religion, disability, sexuality, marital status, or membership of a minority group.

III. GRASSROOTS DEMOCRACY

- To democratise society and the economy through the devolution of decision-making powers from private industrial interests and parliamentary institutions to workplaces and local communities.
- To create a democratically structured public sector, and small business and co-operative sectors of the economy which own and control resources to an extent which does not compromise ecological sustainability and social equality.
- To recognise the right of people in communities to assert control over all matters that affect their lives through processes that maximise community participation.
- To develop individual and community skills to the point where they can take – individually and collectively – their responsibilities in a democratic society.
- To support the diversity in culture and opinion that exists in our society and to promote a responsible and diverse media that informs and reflects this diversity.

IV. NON-VIOLENCE AND DISARMAMENT

- To adopt and promote nonviolent resolution of conflict, and to develop community capacity to do the same.
- To promote a program of universal disarmament, both nuclear and conventional.
- To work towards an independent foreign policy for Australia and a defence orientation that is non-offensive and self-reliant.

4 MEANS

4.1 In the activities and functioning of the Illawarra Greens, our democracy is founded on the equal and inalienable rights of each member and there is no higher authority than the consensus decisions of the members of the Group. Any representatives or delegates of The Illawarra Greens remain accountable to the Group. We seek to extend membership of The Greens to all in the community who are in accord with our fundamental objectives outlined above.

4.2 We seek to gather those with a concern for the planet and its future, the Greens Four Pillars, and the principles of this document, who are prepared to work collectively for progressive change within the existing political structures.

4.3 We stand candidates for election to all spheres of government in order to put forward the Green Agenda and to utilise the avenues for progressive change that come with public office.

4.4 We will be involved in grassroots campaigns which will include:

- a. Resistance to oppressive and destructive practices through non-violent direct action.
- b. Education of ourselves and the community which allows us and others to analyse more rigorously, act more effectively, and envision the future with more compassion and understanding.
- c. Cooperation with progressive social movements both in Australia and overseas so that the complementary struggles for environmental protection and human emancipation are seen as a multi-faceted and global project.

5 DECISION-MAKING

- 5.1 All decisions of the Illawarra Greens will proceed according to principles of participatory democracy. Meetings will be conducted using the “Safe Meeting Practice” of The Greens NSW as contained in Appendix 2 to this Constitution.
- 5.2 All members shall be made aware by the Secretary or Convenor of meeting times and venues, and of significant proposals to be discussed. Meetings of the full Group shall be held at least six times in each twelve months’ period.
- 5.3 The quorum will be nine in the case of general meetings, and three in the case of sub-committee meetings. If a quorum is not present after 30 minutes from the advertised starting time, the meeting shall stand adjourned.
- 5.4 Meetings will proceed in accordance with Safe Meeting Procedure, as described in Appendix 2 of this Constitution.
- 5.5 When possible, the Group’s decisions shall be made according to consensus decision-making processes as described in Appendix 3 of this Constitution. When consensus cannot be reached and the decision should not be deferred, a ratio of three or more votes in favour to one vote against shall be required for the motion and/or amendments to be carried. Abstentions may be recorded but shall not count as votes for or against. Proxy or absentee votes are not admissible.
- 5.6 Members must be financial, non-provisional, and have attended at least two meetings within the previous 12 months in order to be able to vote in meetings. Observers and non-voting members present at a meeting can participate in discussion but cannot have a role in taking the decision-making process to the voting phase (i.e. to block consensus).
- 5.7 Election of office bearers and candidates shall be achieved by a compulsory preferential secret ballot.

6 MEMBERSHIP

- 6.1 Membership of the Illawarra Greens is open to any person who:
- 6.1.1 Agrees to abide by this constitution, including the Charter of the Australian Greens;
 - 6.1.2 Pays an annual membership fee, as determined annually by The Greens NSW;
 - 6.1.3 Is not a member of another political party;
 - 6.1.4 Is not a member of an organisation that has been proscribed by the Australian Greens or The Greens NSW.
 - 6.1.5 The Illawarra Greens may accept into membership a member of The NSW Greens who applies for exclusive membership of the Illawarra Greens but lives outside the area defined in section 1.2 of this Constitution by the normal decision making process of the Group.
 - 6.1.6 The first three months membership of an individual shall be considered provisional and may be revoked during that time by decision of the Group.
- 6.2 Membership fees shall fall due on the 1st July each year. The fee structure will be in accordance with the policies of The Greens NSW.
- 6.3 Details of the membership list shall not be used for any purpose other than the business of the organisation, except where the members concerned have given clear consent.

- 6.4 The membership of any member shall cease in any of the following circumstances:
- 6.4.1 Failure to pay the membership fee within three months of the due date;
 - 6.4.2 The member contests an election against the Group's endorsed candidate(s), without the group's approval;
 - 6.4.3 The Group decides by the usual decision making processes that the member has placed herself or himself outside of the Group by one or more of the following actions:
 - 6.4.3.1 Activities contrary to the Group's membership criteria;
 - 6.4.3.2 Repeated disruptive behaviour within the Group or behaviour which brings the group into disrepute.
 - 6.4.3.3 Failure to comply with these rules.
- 6.5 Action to terminate membership under clause 6.4.3 above shall not proceed until:
- 6.5.1 A notice of motion to terminate the membership, moved by three members, is forwarded to the Convenor;
 - 6.5.2 The notice of motion is circulated to all members prior to the meeting which will decide the motion; the person affected by such motion shall receive notice of the time and place (either physical or virtual) of the meeting and will have the opportunity for a right of reply.

7 ORGANISATION

7.1 GENDER EQUITY

7.1.1 In all the activities and appointments of the Illawarra Greens, efforts shall be made to actively ensure equitable and appropriate gender representation and participation.

7.1.2 In line with the NSW Greens policies on Affirmative Action and Political and Public Participation, Illawarra Greens will work towards ensuring at least 50 per cent representation by women, or gender diverse people, in all decision-making processes and leadership positions of the Group, as well as in all delegations, public speaking events and candidature for public office.

7.1.3 In line with the NSW Greens policies on Political and Public Participation, Illawarra Greens will work to develop programs and strategies to provide our members with the skills to be effective candidates and members of parliament and to actively promote women and gender diverse people to stand as candidates for election to federal, state, local government and other public bodies.

7.2 ANNUAL GENERAL MEETING

7.2.1 The Annual General Meeting of the Group may be held in the months of July, August or September. At each year's Annual General Meeting, the Group shall elect the following office bearers:

7.2.1.1 **Convenor:** responsible for organising the meeting venues, ensuring that members are informed of the meeting time, place and the proposed agenda at least

five days before the meeting, ensuring meetings are well facilitated, and liaison with GNSW including the SDC, other Greens groups and outside organisations. The Convenor will act as public spokesperson for the group in the absence of an elected nominated spokesperson. To share the workload and skills required, there should be two Illawarra Greens Convenors whenever possible.

7.2.1.2 **Secretary:** responsible for making sure minutes of Group meetings are taken and circulated to members. This involves recording the names of members present, apologies, recording votes, decisions made and the person(s) delegated to carry out each decision. The secretary is also responsible for ensuring that digital records of all relevant documents including minutes of meetings are uploaded to the current Group shared file store.

7.2.1.3 **Treasurer:** responsible for payment and receipt of monies for the Group and maintenance of the Group's financial records, ensure that all financial returns required by the Greens NSW and Government authorities will be filled out accurately and submitted on time.

7.2.1.4 **Membership Officer:** responsible for the membership list, liaising with the Greens NSW regarding membership, co-ordinating the contact of grace or lapsed members, tabling new members names at Group meetings. They are also responsible for ensuring each new member receives an induction package which includes access to the Illawarra Greens constitution and information about safe meeting practice, and organising occasional new members events.

7.2.1.5 **Council Reference Group Convenor:** responsible for convening meetings as required to discuss, and prepare actions based upon, Council business papers, to support the elected Greens Councillors with submission of Notices of Motion to Council meetings, and to co-ordinate media relating to Council matters outside of an election cycle.

7.2.1.6 **Digital Co-ordinator:** responsible for the maintenance of all Group digital assets, and administration of Group digital media outlets, maintaining records of paid social media. This may include but is not limited to: maintenance of group records, email lists, the Illawarra Greens website, social media pages, and monitoring of candidate pages outside of election cycles.

7.2.1.7 **SDC Working Group Convenor:** responsible for developing a group position on SDC matters and arranging attendance at SDC meetings.

7.2.1.8 Other non office-bearing positions as required may be elected at, or appointed by, a meeting available to the full membership. These positions may include :

7.2.1.8.1 **Election Campaign Co-ordinator:** responsible for the organisation and conduct of an election campaign, providing support and direction to pre-selected candidates and volunteers during an election cycle, submission of Electoral Commission forms, ensuring that polling booths have sufficient staffing and materials, and reporting to both Greens NSW and the Group on the progress of electoral matters.

7.2.1.8.2 **Spokesperson:** responsible for speaking publicly on a specific issue, or issues specific to a distinct level of government, outside of an election cycle.

7.2.1.8.3 **Convenor of a Working Group:** responsible for facilitating meeting(s) of a subset of members to develop understanding of a specific area of interest, and report back to the Group.

7.2.1.9 A member cannot hold the same position continuously for longer than three years or hold the position of election campaign co-ordinator for more than three consecutive election campaigns. A member who has served in an official position for the maximum period may be re-elected to the same position after a break of at least one year. Any office bearer who is in the last possible year of holding that office, or who does not intend to stand for further nomination to their office, shall endeavour to find a successor to their position during their term to ensure a smooth transition of knowledge and process.

7.3 MEETINGS OPEN TO THE FULL MEMBERSHIP

7.3.1 Meeting facilitators shall be decided at the start of each meeting.

7.3.2 Office bearers, elected representatives and other delegated individuals shall present regular reports to the group on their activities.

7.3.3 Any appointment made by the group can be revoked and the position be declared vacant should a motion of no confidence gain the support of at least 50 percent of eligible voting members present at a meeting. Any motion of no confidence shall be put to a meeting following circulation of a notice of the motion, at least five days prior to the meeting. If it is passed, the meeting will then determine the appropriate process to elect a replacement officer, in line with the articles of this constitution.

8 ACCOUNTABILITY

8.1 Members shall be accountable to the group for any actions they take, or take part in, on its behalf.

8.2 Any elected representative of the Group shall abide by the stipulations of their signed candidate agreement, as determined by Greens NSW, including but not limited to attendance at regular meetings with the Group, and discussion of issues pertaining to their responsibilities.

8.3 The Group shall provide both moral and material support to its representatives.

8.4 The actions and public statements of all elected representatives of the Group shall be consistent with the Australian Greens Charter, the Greens Four Pillars, the Constitution of the Group and the policies of The Greens NSW and the Australian Greens.

8.5 The Group may select members to form a local Council Reference Group which shall be a focus for activities around council issues and assist councillors in planning, decision-making and dispute resolution provided that:

8.5.1 All members of the Illawarra Greens are eligible to participate

8.5.2 Decisions of the CRG shall be consistent with decisions of, and if necessary, subject to ratification by the Illawarra Greens.

8.5.3 Elected councillors shall attend regular meetings of the local Council Reference Group to discuss issues pertaining to their responsibilities.

9 QUICK DECISIONS

9.1 At the AGM, the Group will elect a Quick Decision Making Group (QDMG) who may act for the Group between regular meetings of the Group or where an urgent decision is required.

9.2 QDMG process

9.2.1 The QDMG will consist of five members chosen from the office bearers and if necessary, one or two ordinary members.

9.2.2 Decisions of the QDMG will be reported to the next Group meeting.

9.2.3 All decisions of the QDMG will be by consensus or if necessary by a majority.

10 ELECTIONS AND ELECTED REPRESENTATIVES

10.1 PRESELECTION OF CANDIDATES

10.1.1 Any member of The Greens NSW may nominate as an Illawarra Greens candidate for local, state or federal elections provided that they have been a member of The Greens NSW for a minimum of three months at the date of the preselection ballot and meet all applicable Electoral Commission requirements for candidacy at that particular level of government.

10.1.2 The three month membership qualification contained in 10.1 may be set aside by a consensus decision of a full Group meeting.

10.1.3 All members of the Illawarra Greens may participate in the selection of candidates for elections provided that they have been a member of the Illawarra Greens for a minimum of three months at the date of the preselection ballot.

10.1.4 The returning officer will ask all members to consider the equal representation of women in the selection process. Consideration will also be given to the representation of other groups that are currently under-represented in the electoral system including, but not limited to, members of the LGBTQI+, indigenous, refugee, migrant, and disabled communities.

10.2 ACCOUNTABILITY OF CANDIDATES AND ELECTED REPRESENTATIVES

10.2.1 Candidates and elected representatives agree to abide by Greens principles and policies and act in accordance with their signed Greens NSW candidate agreements, this constitution and the decisions of the Group.

11 CONFLICT RESOLUTION

11.1 Because the main activity of the group is conducting election campaigns and these have the potential to be demanding and stressful, conflict must be expected and prepared for.

11.2 Conflict within the Illawarra Greens will be addressed under the terms of the Conflict Resolution Appendix 1 to this Constitution.

12 CONSTITUTIONAL CHANGES

Notice of motions to amend this constitution must be circulated to all members at least fourteen days before the meeting at which the motion is to be presented. The usual decision making process shall be followed.

Appendix No 1: Illawarra Greens Conflict Resolution Process

1. If a dispute arises as a result of a breach of The Greens NSW safe meeting procedures (Appendix 2) or the Greens NSW Code of Ethics, or arises from any other meeting, activity or social event involving the members, staff or volunteers of the Illawarra Greens, whether verbal or in writing, including, but not limited to, claims of bullying, intimidation or any form of discrimination defined by law, then the disputing parties may undertake the following steps:

1.1 Either party may, if practicable, raise the matter with the other party setting out the background and the issues in dispute, and the outcome desired.

1.2. If the dispute is not resolved in accordance with clause 1.1, then a complainant may raise the matter with an office bearer of the Illawarra Greens of their choice with a view to mediating the conflict. The nominated office bearer shall, within 72 hours, propose an appropriate complaint resolution procedure and should endeavour to commence the resolution process within 7 days and complete the process within 30 days, or a longer period where appropriate. It shall be made clear to all parties involved that relevant details of the matter may be discussed with any or all of the other office bearers.

1.3 If the dispute is not resolved in accordance with clause 1.2, then either party may request that an internal mediator or Conflict Resolution Committee be nominated which will consist of up to three members endorsed by the Group's office bearers. The mediator or Committee will commit to resolving the matter within the time frame set out in 1.2 above.

1.4 The parties shall make every effort to assist in the resolution of the dispute and clearly communicate the background facts leading to or causing the dispute.

1.5 At all times, the mediator or Conflict Resolution Committee agree to use their best endeavours to:

- ensure that all parties know what to expect during the complaint handling process,
- maintain respect, sensitivity, and confidentiality,
- set out clearly what action is required for a fair resolution of the dispute, and
- Discuss specific means of avoiding such disputes arising in the future.

1.6 If the conflict remains unresolved, then a party or the Group may seek assistance with resolving the dispute from appropriate Greens NSW staff or the NSW Convenor.

Sexual Harassment Conflict Resolution Process

2. In any matter involving a claim of sexual harassment (as defined by law or the NSW Greens Sexual Harassment Policy), a complainant or an observer of the harassment may inform an office bearer of the Illawarra Greens of the harassment as soon as possible.

2.1 A complainant or respondent may appoint a support person within the Group to assist them in the management and resolution of the complaint. Alternatively, a support person can be appointed by the office bearers of the Group.

2.2 A support person may endeavour to resolve the matter with the parties if the parties agree, within the timeframe outlined in 1.2 above and the support person may seek the assistance of the office bearers of the Group if required.

2.3 If the matter cannot be resolved according to 2.2, then either party may request that a Conflict Resolution Committee be nominated which will consist of up to three members endorsed by the Group's office bearers. The Committee will use the guidelines for resolution laid down in the Greens NSW Sexual Harassment Policy as far as is practicable, and may take into account any recommendations for resolution provided by a support person. Resolution of the matter should take place within a further time period as described in 1.2 above.

2.4 If a complainant or respondent wishes to seek resolution at the State rather than local Group level, then the office bearers of the Illawarra Greens will refer the matter to the Greens NSW to be dealt with according to the procedures outlined in their Sexual Harassment Policy.

2.5 Where a complaint relates to sexual harassment which may be a criminal offence, or where the complaint involves actual or alleged physical assault and the complainant wishes to refer the matter to the local police, then the complainant will be assisted to do so by the nominated support person and the complaint will be referred by the Group for resolution to the Greens NSW. This clause does not remove an obligation under the New South Wales Crimes Act by any person to report an alleged serious offence to police.

2.6 A complainant will also be given support to attend appropriate medical and/or other relevant agencies, including counselling services, if requested by them.

2.7 The support person shall continue to support a party during any of the above processes and keep them informed of the progress in the matter.

3. The Group may take action regarding a complaint including suspension of membership from the Group during the period of resolution of a complaint and may adopt any other disciplinary action available to it.

4. No person shall be appointed to assist in the resolution between the parties under sections 1 and 2 above if they have any conflict of interest.

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Appendix No 2: Safe Meeting Procedure

1. Attend in good faith, and act with the goal of forwarding what is in the best interests of the Greens.

2. Come with a commitment to consensus decision making.
3. Try to set aside previous conflict from present discussion.
4. Respect established progressive meeting practices such as speakers lists.
5. Try to listen without preconceptions, be open to new ideas.
6. Show respect for others' opinions.
7. Address the issue not the person.
8. No aggressive verbal or non-verbal interaction.
9. Endeavour to express yourself clearly, so others can understand your point of view.
10. Some conversations are inevitably uncomfortable. If you feel unsafe you are not obliged to stay but please advise the facilitator before leaving the meeting.
11. If you want to have a breakout conversation, do so in a manner which does not disrupt the facilitation of the meeting.

Appendix No 3: Consensus Decision Making

a) Steps

Step 1: Introduce and clarify the issue(s) to be decided

- Share relevant info.
- What are the key questions?

Step 2: Explore the issue and look for ideas.

- Gather initial thoughts and reactions. What are the issues and people's concerns?
- Collect ideas for solving the problem – write them down.
- Have a broad ranging discussion and debate the ideas. What are the pros and cons?
- Start thinking about solutions to people's concerns. Eliminate some ideas, shortlist others.

Step 3: Look for emerging proposals

- Look for a proposal that weaves together the best elements of the ideas discussed.
- Look for a solution that addresses people's key concerns.

Step 4: Discuss, clarify and amend your proposal

- Ensure that any remaining concerns are heard and that everyone has a chance to contribute.
- Look for amendments that make the proposal even more acceptable to the group.

Step 5: Test for agreement Do you have agreement? Check for the following:

- **Blocks:** I have a fundamental disagreement with the core of the proposal that has not been resolved. We need to look for a new proposal.
- **Stand asides:** I can't support this proposal because ... But I don't want to stop the group, so I'll let the decision happen without me.
- **Reservations:** I have some reservations but am willing to let the proposal pass.

- **Agreement:** I support the proposal and am willing to implement it.
- **Consensus:** No blocks, not too many stand asides or reservations?
- **Active agreement?** Then we have a decision!

Step 6: Implement the decision

- Who, when, how?
- Action-point the tasks and set deadlines.

b) Consensus Decision Making Flow Chart

