

Cooroy Golf Club – Management Committee Response to Grievances

Appendix A

Secret Meetings

- There has been a lot said about purported secret meetings. There have been **no ‘secret meetings’** making decisions about running the club.

Members of the various committees decide when and where it is most practical for them to meet. The clubhouse is not always the most practical place. The primary purpose of Executive Committee meetings earlier this year was a general catch up after an extended holiday break and to brief the new secretary, Tina Thomas.

Constitution Rewrite

- The rules of the club (Constitution) have undergone many revisions since the club’s establishment in 1935. The current Constitution is not fit for purpose, an assessment confirmed by external experts, and needs a rewrite to recognise changes in laws, adopt modern best practices, make the language clearer, and ensure proper protections for members and the club.
- With financial support from Golf Australia, the club has engaged local governance consultants CPR Group to develop a new constitution for Cooroy Golf Club. CPR Group is Australia’s leading sports governance, planning and community development provider and has been involved in Constitution rewrites for 100’s of clubs Australia wide including clubs on the sunshine coast.
- The learnings and experience from each rewrite exercise improve the CPR process for the next constitution rewrite.

Based on CPR Group experience the process follows a standard timetable with defined steps to ensure the process reaches a successful outcome, but times allowed for each step can be adapted to suit club circumstances. The member consultation step is crucial. It takes as long as needed to ensure member views are considered in reaching an outcome acceptable to members. The club will make a draft version of the constitution rewrite available to members for review with covering notes explaining the changes so members can provide feedback. **CPR Group will facilitate the member review process not the management committee.**

- CPR have completed a first draft of the Constitution, but we have paused the process because of the current disruptions.
- A successful rewrite is critical for the future operations of the club. Using external experts and following a proven process will ensure a successful outcome, including protections for members and the club.

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1	<p>Constitution 10.4 - as of the 20 /1/24 Finance Director has decided to bring forward a motion that the executive charter be altered from three person to Four person with a large change to the / responsibilities of the executive committee check web site, under governance- executive sub-committee - now four persons. These changes effectively give all running of the club to just four people.</p>	<ul style="list-style-type: none"> ▪ The Constitution provides that <i>the business and affairs of the club shall be under the control and management of a management committee.</i> Quite unambiguous. ▪ The Constitution provides that there is an Executive Committee consisting of President, Finance Director and Secretary but does not define the responsibilities of the sub-committee. ▪ The management committee has the authority to interpret the meaning of the rules and matters relating to the Club on which the Constitution is silent. ▪ As the Constitution provides that the Vice President shall assist with and carry out the duties of the President as and when required, it makes sense to invite the Vice President to join the Executive Committee. This has traditionally been the approach for quite practical reasons. If the VP needs to assist with and step into the President role as and when needed, then the VP clearly needs to have the same level of understanding of what is going on at the club. ▪ The charter put forward to the management committee aimed to provide clarity around the role and responsibilities of the Executive Committee but recognised that each of our club sub committees also need a charter. ▪ As a result of discussions with CPR Group about the rewrite of the Constitution, the management committee reviewed and reversed its earlier decision to approve the charter as it will be addressed in the rewrite.

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2	<p>Constitution 18. The management committee has decided not to allow access to the members minutes of their meeting. Citing privacy act 1988. - These minutes are the member's checks and balances on what our elected role holders are up to.</p>	<ul style="list-style-type: none"> ▪ Attached at the end of this document is the club’s response to the request from Andrew Stewart for access to management committee minutes going back to 2018, i.e. for 5 years without indicating a reason or the information sought. ▪ As you can see the management committee did not reject providing access to the minutes of management committee meetings and offered options to facilitate the request. ▪ Jeff McDonald then requested access to the January/February minutes. The club secretary organised a date and time to meet at the club house, but Mr McDonald cancelled without rescheduling.
3	<p>Constitution 18. Minutes from the 2023 annual general meeting have been published with false and misleading information. -There was no general business slated on that night.</p>	<ul style="list-style-type: none"> ▪ The 2023 AGM did not conduct any business other than that stated in the formal agenda. ▪ Following accepted practice, at the conclusion of the formal business of the AGM the floor is open to members. No business was conducted in this period. An assertion made by Grathan Leatherbarrow, and the management committee response was properly recorded in the minutes. ▪ The allegation about false and misleading information is rejected.
4	<p>Constitution 23.4 a} - Finance Director overstepping the control of minor expenditure. Finance Directors role description per constitution – the Finance Director shall carry out all duties as in the rules and in addition shall</p> <p>A} Present to each monthly meeting -</p> <ol style="list-style-type: none"> 1. A current financial statement 2. A record of all payments made since last meeting 3. A statement of income/expenditure from proceeding month. <p>B} Maintain a record of stock supplied by house</p>	<ul style="list-style-type: none"> ▪ An Unsubstantiated assertion - rejected. ▪ The wording of constitution clause 11.4 does not limit the function of Finance Director, rather it describes certain reporting responsibilities of the Finance Director. ▪ When read with the responsibilities of the Finance subcommittee and the Association Incorporated Act it is clear the Finance Director has responsibilities for all aspects of club finances including ensuring procedures and processes are in place to ensure the integrity of all expenditure, irrespective of value.

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	director.	
5	Constitution 11.4 Finance Director continually working outside the scope of finance director. - As above.	<ul style="list-style-type: none"> ▪ Before taking on the role of Finance Director, Rod Booth assisted the club in many ways (e.g. website, marketing, newsletters, sponsorship, new POS implementation, MEX system), and that volunteer work continues notwithstanding the responsibilities of Finance Director. In most cases that volunteer work has been at the request of the Manager or sanctioned by the management committee.
6	The continual disregard for the integrity of the position they were voted into by the membership of the Cooroy golf club.	<ul style="list-style-type: none"> ▪ Unsubstantiated allegation made without any evidence - rejected.
7	The continual disregard to the membership in whole.	<ul style="list-style-type: none"> ▪ Unsubstantiated allegation made without any evidence - rejected. ▪ The management committee has always acted in the best interests of the Club and ALL members.
8	The illegal structures on our golf course, with contempt of the Noosa council Building application process, leading to an illegal structure notice from the council.	<ul style="list-style-type: none"> ▪ The management committee at the time, which included Keith Harkins (President) and Jeff McDonald (Secretary), approved the staff/volunteer amenities demountable building. There is nothing in the records to suggest that there was any dissent, concerns, or qualifications to the approval. ▪ The show cause notice by Noosa Council resulted from a member lodging a complaint – it was not a random council inspection. We are working with Noosa Council to resolve the issue.
9	The decision to override the water bore, we need water security.	<ul style="list-style-type: none"> ▪ The decision on a water bore was not overridden. The committee followed due process. ▪ Committee members have a duty to act with reasonable care, skill, and diligence requiring them to make every effort to ensure they are fully

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		<p>informed about decisions they must make. If they do not believe they have sufficient information, then they have a duty to ask questions and seek clarification.</p> <ul style="list-style-type: none"> ▪ The management committee decided it needed more information and to consult with GemLife particularly in view of the proposed location and as implementation of a water management plan is part of the GemLife deliverables to address water security. Further investigations and discussions with GemLife validated the decision to seek more information. ▪ The project became less urgent once it rained so it was paused and moved down the list of priorities, saving a cost outlay with NO GUARANTEE of a result.
10	The loss of our manager after 20 years of service – not allowing our manager to do his job without micromanaging. With other staff suffering the same treatment.	<ul style="list-style-type: none"> ▪ The Club Manager reports to the Executive Committee. The Executive Committee, and by default its officers, acted within their authority by providing direction and advice and supervising the activities and performance of the club manager. ▪ Accusations of bullying of Wayne Patston by Rod Booth and Andrew Dick are rejected. Wayne Patston has not lodged a complaint of bullying by Rod Booth, Andrew Dick, or other current members of the management committee. ▪ The Management Committee has been responsive to Wayne’s requests for assistance with his workload and has acted, for example, (a) by appointing a Back Office person to take on significant administrative and other responsibilities (b) by supporting a reorganisation of bar staff responsibilities – e.g. <i>Jenny</i> taking on responsibility for ordering products and supplies (c) by Members of the Management Committee taking on responsibilities to assist with Wayne’s workload. ▪ The accusation of lack of support for Wayne is rejected.

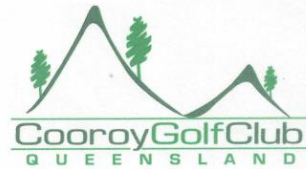
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		<p>On several occasions the management committee issued '<i>statements of support</i>' at Wayne's request. The need to do this often arose from derogatory comments made about Wayne's performance by members now raising grievances and associated with the recent publishing of false and misleading information.</p> <ul style="list-style-type: none"> ▪ The club manager has the authority to present a case for a variation in staff levels for consideration by the management committee. The committee did not prevent Wayne from doing so. ▪ The accusation '<i>with other staff suffering the same treatment</i>' is unsubstantiated and emphatically rejected.
11	The lack of foresight in not finishing the bridge upgrade to hole 7/15 and the decision to spend an extra \$15,000 on the said bridges.	<ul style="list-style-type: none"> ▪ To quote from the management committee minutes of 21/2/2023 under the heading Outstanding Items "<i>Bridge over Hole 15 has been put on hold until GemLife outcome</i>". Those present at meeting included Keith Harkins (President), Jeff McDonald (Secretary), and Grathan Leatherbarrow (Greens Director). ▪ The current management committee inherited this decision. ▪ The allegation about <i>the decision to spend an extra \$15,000 on the said bridges</i> is unsubstantiated and misinformation. ▪ The subcommittee formed at the time to address the replacement and upgrade of bridges exercised reasonable care and diligence in considering the most suitable options and recommended accordingly.
12	Constitution – Nov SGM, were put on notice about unconstitutional proceedings, Mr Rod Booth ordered that the meeting proceed, and it did – the club is now open to investigation from Department of Fair Trading.	<ul style="list-style-type: none"> ▪ A misrepresentation of what happened - Rod Booth did not order the meeting to continue. ▪ The reference to a November SGM is confusing. There was no SGM in November 2023. It is assumed the reference is to the July SGM at which Patrick Allen made a point of order asserting a legal error by the

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		<p>Management Committee in the rules of the meeting not allowing speakers for and against the Motion.</p> <ul style="list-style-type: none"> ▪ The club legal advisor was present at the SGM and advised that the assertions made by Pat Allen were not relevant to the business of the SGM and that the meeting should be allowed proceed to a vote after Mr Allen was heard. ▪ Rod Booth acted properly in passing this advice to Peter Piggott, the chair of the meeting, to direct accordingly.
13	Continual interference with running of the golf program. Outside their roles.	<ul style="list-style-type: none"> ▪ Clause 10.4 of the Constitution provides the management committee with the power to appoint from members of the Club the following sub committees: Finance, Men’s Golf, Women’s Golf, House, Greens, and others as considered necessary. <p>The Constitution provides that such sub committees shall perform their function within the policy and in accordance with the direction given to it by the management committee.</p> <p>The management committee is acting within its authority by providing direction and advice to the Men’s and Women’ sub committees and other sub committees.</p>

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27 January 2024

Attention: Mr Andrew Stewart

Dear Mr Stewart, regarding your request to access Cooroy Club committee meeting minutes from 2018 to present, this request was presented at the management committee meeting 23/1/2024. The outcome was that the committee members unanimously decided that your request was unreasonable.

The reasons are that in your request to view these minutes you did not state why you wanted to read them and for what outcome or purpose. The minutes from 2018 to present hold personal information from members and employees that the committee have attended to in confidence.

The privacy laws and access to personal information has been amended, the Privacy Act 1988 is the principal piece of Australian legislation protecting the handling of personal information of individuals. This act protects the rights of personal information to which we are bound by these laws.

The committee is willing to help you with your request, should you decide to let us know what you are seeking, providing it doesn't contravene the current privacy laws.

We look forward to your response.

Regards,

Tina Thomas

Secretary Cooroy Golf Club

