

**Rescission Motion - Cove Cobras Football Club Tenancy**

**Report Reference:** SGC191015F01

**Moved Councillor Prior, Seconded Councillor Veliskou**

That:

1. pursuant to Section 90(2), (3)(a) and (3)(g) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Sorana Dinmore, Ilia Houridis, Fiona Harvey, Tony Lines, Kate McKenzie, Jaimie Thwaites, Craig Clarke, and Clare Benn, be excluded from the meeting as the Council receives and considers information relating to the item *Rescission Motion - Cove Cobras Football Club Tenancy*, upon the basis that the Council is satisfied that the requirement for the meeting to be conducted in a place open to the public has been outweighed by the need to keep consideration of the matter confidential given the information relates to personal information and is the subject of a current confidential order.

**Carried**

6.32pm the meeting went into confidence

**Moved Councillor Veliskou, Seconded Councillor Crossland** that formal meeting procedures be suspended.

**Carried Unanimously**

6.36pm formal meeting procedures suspended

7.12pm Councillor Veliskou left the meeting

7.14pm formal meeting procedures resumed

7.16pm Councillor Veliskou re-entered the meeting

**Moved Councillor Veliskou, Seconded Councillor Prior** that formal meeting procedures be suspended.

**Carried Unanimously**

7.27pm formal meeting procedures suspended

7.41pm formal meeting procedures resumed

**Moved Councillor Shilling, Seconded Councillor Veliskou**

That Council:

1. Rescinds the following motion from the 24<sup>th</sup> September 2019 General Council Meeting regarding the Cove Sport Investigation

*That Council:*

1. *Notes the response from Cove Cobras Football Club (CCFC) to Council's Tentative Findings of Fact as provided in Appendix 1.*
2. *Endorses the following action based on the response from CCFC:*

- *Provides CCFC one month's written notice to terminate the tenancy arrangement for their use of the Cove Sports and Community Centre ('the Facility')*
3. *Notes Administration will investigate further avenues within the liquor licensing provisions to manage behaviour associated with excess alcohol consumption.*
  4. *Notwithstanding the confidentiality order of the Council, as resolved with this report, the Council authorises the Chief Executive Officer or his delegate/s to advise affected parties of Council's resolutions regarding this matter.*
  5. *Notwithstanding the confidentiality order of the Council, as resolved with this report, the Council authorises the Mayor and/or Chief Executive Officer to provide information and/or to make statements in the public realm including social media in reliance upon the content of the confidential documentation where they consider it necessary.*
2. Acknowledges that the termination of the tenancy arrangement for the use of the Cove Sports and Community Centre was issued to the Cove Cobras Football Club (CCFC) on Wednesday, 25<sup>th</sup> September and still legally applies.
  3. Notes that the President of CCFC in conversations with the Acting CEO, CEO, Mayor and Deputy Mayor of the Council has been provided with details of incidents which led to the findings in the Confidential report.
  4. Agrees to offer a new licence to the CCFC for the use of the Cove Sports and Community Centre (The Facility) for a period of one year commencing 01 October 2019 subject to the following conditions being met:
    - a. The CCFC supplies Council with a written acknowledgment; that an element within the CCFC has exhibited intimidating and unwelcoming behaviour and unacceptable language towards Council staff and other users of the facility; and expresses a willingness to work with Council to ensure such behaviour does not reoccur.
    - b. That the CCFC provides Council with a written plan for the CCFC to meet the requirements of their Level 2 Good Sports Accreditation.
  5. Endorses that a new tenancy arrangement be offered to CCFC that includes the following conditions:
    - a. A Conduct and Complaint Procedure. This Procedure requires the CCFC to report all reported complaints (written or verbal) to the Council's Chief Executive Officer and the matter be investigated in accordance with the Procedure.
    - b. That Council reserves its right to initiate a notification period for automatic termination of the licence subject to any substantiated complaint being investigated under the Conduct and Complaint Procedure.
    - c. The Main Clubroom/Function Room/Changerooms/Bar Area are accessed as arranged and approved by the Facility Manager;
    - d. Restricted alcohol sale times will be established.
      - i. All alcohol sales will cease at the beginning of the fourth quarter of CCFC A grade mens team matches.
      - ii. The bar will remain closed until two hours after the conclusion of the last CCFC A grade mens team matches on any one day.

- e. That the agreement acknowledges that the CCFC has a Council Liaison Officer (Council Member) and that the Council Liaison Officer is invited to all Committee Meetings and provided 7 days' notice of each meeting.
  - f. If the CCFC terminate a member from the CCFC, assistance can be sought from Council to assist with banning that member from the facility.
6. Work with all affiliate clubs at the facility to facilitate education for their Executive Committees and Members about acceptable behaviour, support available and the complaints process.
7. Endorses a review of the license in July 2020 with the intent to renew, with all conditions being reviewed on the following basis:
- a. A deputation will be made to Council by the President of the CCFC advising:
    - i. Club progress on curtailing poor Culture and Behaviour;
    - ii. How the CCFC is striving to ensure it meets Councils Standards and their Level 2 Good Sports Accreditation;
    - iii. Make representation of any changes the CCFC would like to see occur in the potential renewed license.
  - b. Staff will liaise with the Facility Manager and obtain a report on CCFC operation under the new license.
  - c. All Clubs that have a license at the Facility will be invited to supply a written statement on their views of the CCFC operations under the new license.
  - d. Council will consider all submissions and whether any conditions should be altered for a new license that will commence for 12 months on 01 October 2020.

**Carried Unanimously**

**Moved Councillor Shilling, Seconded Councillor Hutchinson**

- 1. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the minutes arising from the report, Rescission Motion – Cove Cobras Football Club Tenancy', having been considered in confidence under Section 90(3)(a) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection until after the Cove Cobras Football Club have been advised of the resolution.
- 2. Notwithstanding the confidentiality order of Council, as resolved with this report, the Council authorises the Chief Executive Officer or his delegate/s to advise affected parties of Council's resolutions regarding this matter.

**Carried Unanimously**

7.55pm the meeting came out of confidence