

Political Signage

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| Originating Officer | Executive Assistant to CEO - Dana Bartlett |
| Corporate Manager | Manager Corporate Governance - Kate McKenzie |
| General Manager | Chief Executive Officer - Adrian Skull |
| Report Reference | GC190813F04 |

Confidential**Confidential Motion****That:**

Pursuant to Section 90(2) and (3)(i) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Ray Barnwell, Tony Lines, Fiona Harvey, Kate McKenzie, Victoria Moritz and Craig Clarke, be excluded from the meeting as the Council receives and considers information relating to political signage 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 potential litigation.

REPORT OBJECTIVE

For Council to determine if they wish to make an ex-gratia payment to Cove Football Club (Soccer) for potential losses incurred from the removal of political signage.

EXECUTIVE SUMMARY

At the 28 March 2017 General Council meeting, Council adopted a new 'Leasing and Licensing of Council Owned Facilities Policy'. The new policy included a new section stating: "That advertising of political parties, Members of Parliament, Elected Members and candidates for Parliament/Council be prohibited on Council owned premises and the Council endorses the progressive implementation of the Policy as leases and licences are renewed or newly entered into".

At the 22 January 2019 Special General Council meeting, Council resolved to terminate the Cove Sports and Community Club licence and that the City of Marion would manage the facility for at least the next 12 months from 23 January 2019.

Separate to this, Member for Black David Speirs has entered an agreement with the Cove Sports Football (Soccer) Club to erect political signage at the club in exchange for \$1,500 in sponsorship. In line with Council's Leasing and Licensing of Council Owned Facilities Policy, the political signage was requested to be removed and was subsequently taken down.

At its meeting of 14 May 2019, Council considered a rescission motion to remove the section in the policy referring to political signage. This was lost and cannot be considered by Council for 12 months.

Mr Speirs has expressed his disappointment with the decision of Council and indicated that the club has now lost \$1,500 of income. Mr Speirs has provided a copy of the invoice which is attached as Appendix 1. The invoice is dated 11 December 2018 prior to the termination of the licence. In an attempt to resolve the issue, Mr Speirs has requested Council consider an ex-gratia payment to the club of \$1,500 for sponsorship income lost as a result of Council's decision to not allow political signage at sports clubs.

Council should note that Administration have not been privileged to the details of the agreement between the Cove Football (Soccer) Club and Mr Spermis.

RECOMMENDATION

That Council:

1. **Agrees to make an ex-gratia payment of \$1,500.00 to the Cove Football (Soccer) Club for loss of sponsorship income as a gesture of good will. This payment is to be made subject to an appropriate release and indemnity being signed by the Club.**

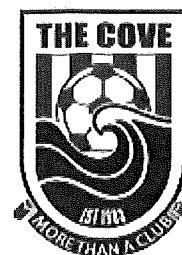
or

2. **Acknowledges the views of Minister Speirs however respectfully declines the request for payment of \$1,500.00 as all Clubs were advised of Council's new Policy position during lease and licence renewals.**

3. **In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Political Signage and the minutes and associated appendices arising from this report having been considered in confidence under Sections 90(2) 3(i), except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2019.**

Attachment

| # | Attachment | Type |
|---|---|----------|
| 1 | Invoice to David Speirs MP from Cove Football (Soccer) club | PDF File |

**TAX INVOICE**

| | | | |
|-----------|---|-------------|--|
| To | David Speirs Attention: David Speirs Shadow Minister for the Environment 7 Sturt Road (Cnr Arundel Road), BRIGHTON SA 5048 AUSTRALIA | From | The Cove FC Inc Oval Road HALLETT COVE SA 5158 |
|-----------|---|-------------|--|

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|-----------------------|----------------------------------|
| Invoice Number | INV-1761 |
| Reference | Advertising |
| ABN | 85 678 997 401 |
| Issued | 11 December 2018 |
| Due | 30 June 2019, 10 days overdue |

| Description | Quantity | Unit Price | Amount AUD |
|--------------------------|----------|------------|-----------------|
| 2019 Cove FC Advertising | 1.00 | 1,500.00 | 1,500.00 |
| Subtotal | | | 1,500.00 |
| Amount Due AUD | | | 1,500.00 |

Payment via electronic transfer to the following account is preferred:

Account Name: The Cove FC Inc
BSB 035-088
Account Number: 114773

If depositing cash at a bank and the bank is unable to include your Surname in the reference field, please include the players birthdate and invoice number. Please email treasurer@thecovefc.com to advise us of the deposit and reference details to ensure the correct invoice is reconciled.