

**18.7 Marion Ice Arena
Report Reference**

GC240827F18.7

Moved Councillor Veliskou

Seconded Councillor Crossland

Pursuant to Section 90(2) and (3)(d) of the Local Government Act 1999, the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item GC240827F18.7 Marion Ice Arena, except the following persons: Chief Executive Officer, Manager Office of Chief Executive, General Manager City Development, General Manager Corporate Services, General Manager City Services, Chief Financial Officer, Unit Manager Governance and Council Support, Governance Officer and Media and Engagement Adviser to enable the Council to consider Item GC240827F11.7 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to the Item GC240827F11.7 as its disclosure of information could reasonably be expected to prejudice the confidence of Council and the Developer whilst in the process of negotiations.

Notes the disclosure of information, on balance, be contrary to the public interest being commercial information pertaining to the operations of the Developer.

Determines, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep consideration of the information or matter confidential.

Carried Unanimously

8.19pm the meeting went into confidence

Moved Councillor Taylor

Seconded Councillor Hoffmann

That Council:

1. Notes Pelligra's advice that – due to a significant change over the last few years in the economic environment, construction costs and interest rates – the Ice Arena project cannot progress in its current form (i.e. without significant external funding).
2. Endorses termination of the Marion Ice Arena agreement.
3. Authorises the Mayor and/or Chief Executive Officer to issue a media release and information to key stakeholders in relation to the matter notwithstanding confidentiality orders.
4. Authorises the Mayor and Chief Executive Officer to attest to the affixation of the Common Seal of the Corporation of the City of Marion to the Deed of Termination of Lease.
5. Pursuant to section 91(7) of the Local Government Act 1999, orders that the following document(s) relating to Agenda Item GC240827F18.7 Marion Ice Arena shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under sections 90(2) and 90(3)h of the Act:
 - Report Marion Ice Arena
 - Attachment 1 – Deed of Termination of Lease
 - Minuteson the grounds that the documents relate to information the disclosure of which could reasonably be expected to prejudice the confidence of Council and the Developer whilst in the process of negotiations.

6. Notes the disclosure of information, on balance, would be contrary to the public interest being commercial information pertaining to the operations of the Developer.
7. Determines this order shall operate until it is revoked, or a further order is made and will be reviewed every 12 months.
8. Pursuant to section 91(9)(c) of the Local Government Act 1999, delegates to the Chief Executive Officer the power to revoke this order in whole or part.

Carried

8.28pm the meeting came out of confidence