

Moved Councillor Duncan

Seconded Councillor Gard

That pursuant to Section 90(2) and (3)(b) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Chief Executive Officer, General Manager City Development, General Manager City Services, General Manager Corporate Services, Manager of the Office of the CEO, Chief Financial Officer, Manager City Activation, Unit Manager Governance and Council Support, Executive Officer to the CEO, Executive Officer to the General Manager City Development be excluded from the meeting as the Council receives and considers information relating to Southern Soccer & SWBMX Funding, Insurance and Closure, 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 commercial and financial information.

Carried Unanimously

6.59pm the meeting went into confidence.

Moved Councillor Duncan

Seconded Councillor Crossland

That Council:

1. Notes the progress of the Sam Willoughby BMX and Southern Soccer Facility projects and that the insurance determination is projected to follow August 2022.
2. Approves additional capital funding of up to \$338k for the SWBMX and SSF projects, allocated through Council's 2022/23 quarterly Budget Review process, for the following items, noting that if the insurance claim is successful, it will offset a portion of this amount:
 - a. \$241k for further improvements to SSF stormwater management design including landscaping to the detention basin, level spreader and eastern swale and the installation of a sub-meter at SSF.
 - b. \$30k for insurer recommendations such as additional safety fencing and CCTV within the SWBMX facility.
 - c. \$40k for works to remove the entirety of the SWBMX track surface (completed) and for additional construction costs associated with the reconciliation of costs to achieve Final Financial Close.
 - d. \$25k for new SWBMX signage located off Major's Road.
 - e. \$2k for professional fees to extend the Defects Liability Period.
3. Approves additional operational funding of \$127k in the 2022/23 budget and \$160k per annum in subsequent years, for the following:
 - a. \$126k for additional SSF turf maintenance and irrigation budget for 2022/23 and \$160k for subsequent years.
 - b. \$1k for the installation of a combi oven into the SSF from another facility (2022/23).
4. Notes that the SWBMX insurance determination is envisaged to be known by end August 2022 that any proceeds from the claim would reduce the financial impact on Council.

Carried Unanimously

Moved Councillor Crossland

Seconded Councillor Masika

In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that this report, Southern Soccer & SWBMX Funding, Insurance and Closure, any appendices and the minutes arising from this report having been considered in confidence under Section 90(2) and (3)(b) 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 the insurance claim is resolved to the mutual satisfaction of the insurer and the City of Marion subject to any provisions of confidentiality from the insurer. If not released prior, this confidentiality order will be reviewed at the General Council Meeting in December 2022.

Carried Unanimously

7.38pm the meeting came out of confidence.