

REF NO: GC220915F01

MINUTES OF

CONFIDENTIAL ITEM

Cove Civic Centre

Reference No: GC220915F01

Moved Councillor Westwood, Seconded Councillor Crossland that pursuant to Section 90(2) and (3)(b) and (d) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Vincent Mifsud, Abby Dickson, Kathy Jarrett, Kate McKenzie, Victoria Moritz, John Valentine, Deborah Horton and Mr Geoff Whitbread, be excluded from the meeting as the Council receives and considers information relating to the Cove Civic Centre, 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 a matter that could confer a commercial advantage to a third party and prejudice the commercial position of Council.

Carried Unanimously

9.06pm the meeting went into confidence.

Moved Councillor Crossland , Seconded Councillor Gard that:

1. Council receive and note report GC220915F01 on the negotiated settlement with Mossop Constructions and Interiors into their claims for costs over the construction of the Cove Civic Centre and associated works.
2. Council endorse the negotiated settlement with Mossop Constructions and Interiors and authorise a payment of \$[REDACTED] as final payment and settlement of all extension of time and mitigation cost claims made by Mossop Constructions and Interiors upon execution of a Deed of Settlement and Release and upon receipt of an appropriate tax invoice.
3. Council delegates to the Chief Executive Officer authority to administer the balance of the outstanding matters identified in this report, and
4. Council authorise the Mayor and Chief Executive Officer to execute a Deed of Settlement and Release under seal.
5. Council requests a comprehensive reconciliation of the costs for the development of the Cove Civic Centre and that this report be made available at the earliest possible time.

Councillor Hutchinson sought and was granted leave of the meeting to vary the motion to include the following point:

6. That Council receive an independent report on the details of the construction contract for the Cove Civic Centre focussing on the liabilities and risks transferred to Council.

Carried

Moved Councillor Crossland, Seconded Councillor Gard that:

7. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Cove Civic Centre and the minutes arising from this report having been considered in confidence under Section 90(3)(b)(i)(ii) of the Act shall, 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 2015

Carried unanimously

9.46pm the meeting came out of confidence.

CONFIDENTIAL