

REF NO: GC240315F01

MINUTES OF

CONFIDENTIAL ITEM

**Marion Leisure & Fitness Centre
Lease to CASA Leisure Pty Ltd
Reference No: GC240315F01**

Moved Councillor Prior, Seconded Councillor Hull that pursuant to Section 90 (2) and (3)(d) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Mark Searle, Chief Executive Officer; Kathy Jarrett, Director; Kate McKenzie, Manager Governance; Jaimie Thwaites, Unit Manager Council Support; and Craig Clarke, Unit Manager Communications be excluded from the meeting as the Council receives and considers information relating to the Marion Leisure Fitness Centre Lease to CASA Leisure Pty Ltd, 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 information of a commercial nature the disclosure of which (i) could reasonably confer a commercial advantage on a third party or prejudice the position of the Council; could relate to potential litigation between Council and a third party; and could impact on a proposed tender for the supply of goods or services and, (ii) would, on balance, be contrary to the public interest.

Carried Unanimously

10.08pm the meeting went into confidence

10.08pm Councillor Gard re-entered the meeting

10.11pm Councillor Pfeiffer left the meeting

Moved Councillor Gard, Seconded Councillor Crossland that:

1. Council note this report
2. Council in accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that the report, 'Marion Leisure and Fitness Centre, Lease to CASA Leisure Pty Ltd' (Report Reference GC240315F01), its appendices and the Minutes arising from this report having been considered in confidence be kept confidential under Sections 90(2), (3)(b), (3)(i) and (3)(k) of the Act and not be available for public inspection for a period of 12 months from the date of this meeting or until such time as the tender process regarding the provision of future services and works in respect of the Centre is complete. This confidentiality order will be reviewed at the General Council Meeting in December 2015.
3. Having resolved to keep the matter in confidence, Council authorises the release of this report and the minutes arising from the report to Council's Acting Chief Executive Officer, Mr Geoff Whitbread, and Council's Audit Committee for any future considerations as necessary.

10.13pm Councillor Pfeiffer re-entered the meeting

Moved Councillor Hutchinson, Seconded Councillor Kerry that this item be adjourned until the next General Council meeting.

Carried Unanimously

10.25pm the meeting came out of confidence

ADJOURNED ITEMS

Marion Leisure & Fitness Centre Lease to CASA Leisure Pty Ltd Reference No: GC240315F01

Moved Councillor Hutchinson, Seconded Councillor Prior that pursuant to Section 90 (2) and (3)(d) of the Local Government Act 1999, the Council orders that all persons present, with the exception of the following persons: Mark Searle, Chief Executive Officer; Kathy Jarrett, Director; Kate McKenzie, Manager Governance; Victoria Moritz, Governance Officer and Craig Clarke, Unit Manager Communications be excluded from the meeting as the Council receives and considers information relating to the Marion Leisure Fitness Centre Lease to CASA Leisure Pty Ltd, 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 information of a commercial nature the disclosure of which (i) could reasonably confer a commercial advantage on a third party or prejudice the position of the Council; could relate to potential litigation between Council and a third party; and could impact on a proposed tender for the supply of goods or services and, (ii) would, on balance, be contrary to the public interest.

Carried

9.37pm the meeting went into confidence

Debate resumed on the original Motion

The Motion was **Carried**

9.59pm the meeting came out of confidence

CONFIDENTIAL