

**REF NO: GC240516F01**

**MINUTES OF**

**CONFIDENTIAL ITEM**

**10.50pm Marion Leisure & Fitness Centre**

**Reference No: GC240516F01**

**Moved Councillor Veliskou, Seconded Councillor Byram, that:**

1. That pursuant to Section 90 (3)(b) of the *Local Government Act 1999*, the Council orders that all persons present, with the exception of the following persons: Adrian Skull, Chief Executive Officer; Abby Dickson, General Manager City Development; Kate McKenzie, Manager Corporate Governance; Carol Hampton, Manager City Property; Yvette Zaric, Governance Officer; Craig Clarke, Unit Manager Communications, be excluded from the meeting as the Council receives and considers information relating to Marion Leisure & Fitness 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 commercial operations of a confidential nature the disclosure of which could reasonably be expected to prejudice the commercial position of Council.

**Carried**

10.50pm The meeting went into confidence.

10.57pm Cr Gard left the meeting.

10.59pm Cr Gard entered the meeting.

**Moved Councillor Hutchinson, Seconded Councillor Crossland that Council:**

1. Endorses the YMCA South Australia as the preferred tenderer, to operate the Marion Leisure and Fitness Centre for the stadium areas and the delivery of allied health wellness programs, eg Gentle Exercise, Diabetes Prevention, Activation Activities for older adults.
2. Authorises the Chief Executive Officer to negotiate and execute a 5 year lease with the preferred tender to achieve a positive return to Council to operate the Marion Leisure and Fitness Centre stadium areas and wellness program from 1 July 2016 to 30 June 2021.

Such negotiations may include a short term rent free period and potential sale of gym equipment to the preferred tenderer.

3. Outgoings for the Marion Fitness and Leisure Centre shall be divided into four parts, as soon and as fairly and accurately as is reasonably practicable, and upon being notified of this resolution the tenant of each part shall be responsible for the outgoings of the part they occupy. The four parts are:
  - a) the area currently occupied by the Koorana Gym Club Inc;
  - b) the area currently occupied by Gym SA Inc;
  - c) the three stadium areas;
  - d) the remainder of the indoor areas.

4. The City of Marion shall be responsible for maintenance of grounds, car park, all external surfaces and structures (excluding signage).
5. Endorse that the Gym and Spa and Sauna services currently delivered from the Centre cease operations commencing 31 August 2016.
6. In accordance with Section 91(7) and (9) of the Local Government Act 1999 the Council orders that this report, Marion Leisure and Fitness Centre Tender outcomes and the minutes arising from this report having been considered in confidence under Section 90(2) and (3) (b) 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 until 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area.
7. The confidentiality orders pertaining to the following reports are revoked and the items can be released 7 days after the execution of the lease for the Marion Leisure and Fitness Centre stadium areas and wellness program area:
  - Marion Leisure and Fitness Centre – Lease to CASA Leisure Pty Ltd, GC091214F01
  - Marion Leisure and Fitness Centre, GC270115F01
  - Marion Leisure & Fitness Centre Lease to CASA Leisure Pty Ltd, SGC190215F01
  - Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, GC240315F01
  - Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, GC140415F01 (adjourned from GC240315)
  - Marion Leisure and Fitness Centre Lease to CASA Leisure Pty Ltd, GC2840415F01
  - Marion Leisure and Fitness Centre, GC250815F03
  - Marion Leisure & Fitness Centre – Future Options Review, GC241115F02
  - Marion Leisure & Fitness Centre Tender, GC220316F01
  - Marion Leisure & Fitness Centre, GC260416F02

**Carried**

11.15pm Meeting came out of confidence.