

CONFIDENTIAL

Unsolicited Proposal: 262 Sturt Road, Marion

Report Reference: GC210223F03

Moved Councillor – Matthew Shilling,

Seconded Councillor – Nathan Prior

That pursuant to Section 90(2) 3 (d)(i) and (ii) 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 Corporate Governance, Manager City Activation, Unit Manager Communications, Manager Finance, Acting Unit Manager Governance and Council Support and Governance Administration Officer, be excluded from the meeting as the Council receives and considers information relating to the report *Unsolicited Proposal - 262 Sturt Road, Marion*, 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 proposal from a third party.

Carried Unanimously

7.12pm the meeting went into confidence

Councillor Telfer declared a perceived conflict of interest in the item *Unsolicited Proposal: 262 Sturt Road, Marion* as she is Deputy Member on the Council Assessment Panel, which may in the future, assess any proposal and will remain in the meeting.

Moved – Councillor Joseph Masika ,

Seconded Councillor – Tim Gard

That Council:

1. Notes that Council resolved on 12 March 2019 to cease the Expression of Interest for the land at 262 Sturt Road, Marion as result of the short comings of the business case provided by the Cruachan Investments Pty Ltd for an ice rink at the site.
2. Resolves that exceptional circumstances exist due to the previous EOI process for 262 Sturt Road, Marion undertaken in 2018, that justify progressing the unsolicited proposal from Cruachan Investments Pty Ltd & Pelligra Group (the Proponent) for an ice skating arena directly to the business case stage, and not retesting the market.
3. Resolves that the Proponent be advised that the following terms are non-negotiable:
 - Council will only consider providing land on a lease basis of up to 42 years.
 - Council will consider a rate relief proposal in line with it's Rates Policy.
 - Council will provide support to the Proponent in seeking other government support.
 - Council will not consider gifting ownership of the land.
 - Council will not consider any direct financial contribution to the proposal including cash or infrastructure.
 - Council will not consider providing a loan or being the guarantor for a loan for the proposal.
 - The proponent must not make any public statements or announcements regarding the proposal without written agreement from Council's CEO including announcements regarding a facility in southern Adelaide.
 - The Proponent must communicate the confidentiality of the project with all parties it discloses the details to in the preparation of the business case.

Meeting Suspension

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Moved Councillor – Bruce Hull,

Seconded Councillor Nathan Prior

That formal meeting procedures be suspended to discuss the item.

Carried

7.13pm formal meeting procedures suspended

7.27pm formal meeting procedures resumed

Carried

Councillor Telfer voted in Favour

Moved Councillor - Joseph Masika,

Seconded Councillor - Sasha Mason

In accordance with Section 91(7) and (9) of the Local Government Act 1999, orders that the report, any attachments to this report and the minutes arising from this report having been considered in confidence under Section 90 (2) and (3)(d) (i) and (ii) 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 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 2021.

Carried Unanimously

7.29pm the meeting came out of confidence