

18.2 Marion Cultural Centre Cafe Lease Arrangements

Report Reference GC220628F18.2

Moved Councillor Crossland

Seconded Councillor Prior

That pursuant to Section 90(2) and (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 Office of the CEO, Manager City Property, Unit Manager Land & Property, Unit Manager Communications, Capital Project Officer, Media and Engagement Advisor, Unit Manager Governance and Council Support and Governance Officer, be excluded from the meeting as the Council receives and considers information relating to Marion Cultural Centre Café, 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 the financial details of the potential Lessees at Council's Marion Cultural Centre.

Carried Unanimously

8.21pm the meeting went into confidence.

8.21pm Councillor Shilling re-entered the meeting

8.26pm Councillor Hutchinson left the meeting

8.29pm Councillor Hutchinson re-entered

Moved Councillor Prior

Seconded Councillor Hull

That Council:

1. Authorise Administration to negotiate detailed terms for a lease agreement with Pancake Kitchen to include:
 - a. a 5 year lease term
 - b. commencement date in September 2022
 - c. a three month rent free period from the lease commencement date
 - d. an annual grossed up rental of between [REDACTED] and [REDACTED] per annum
2. Authorise the continued in-house operation of the café by the Cultural Facilities Unit until the commencement date of the lease with Pancake Kitchen, and endorse a budget of up to [REDACTED] for the period of July 2022 – September 2022 inclusive to facilitate this.
3. Authorise the Mayor and Chief Executive Officer to attest to the affixation of the Common Seal of the Corporation of the City of Marion to a lease agreement between Council and Pancake Kitchen as required.
4. Note that Pancake Kitchen will be seeking landlord approval to paint artwork at their cost on the Southern white walls in the café area linking to the Pancake Kitchen brand.
5. In accordance with Section 91(7) and (9) of the Local Government Act 1999 orders that this report, Marion Cultural Centre Café Lease Arrangements, any

appendices 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 until the execution of the Lease Agreement. At this time the report and minutes for this item will be released, with the exception of the financial information which is to be redacted and kept confidential. This confidentiality order will be reviewed at the General Council Meeting in December 2022.

Carried Unanimously

8.32pm the meeting came out of confidence.