



# CONFIDENTIAL MINUTES

of

## CONFIDENTIAL ORDINARY COUNCIL MEETING

*Pursuant to the provisions of Section 84(1) of the  
Local Government Act 1999*

HELD IN

**COUNCIL CHAMBERS  
PLAYFORD CIVIC CENTRE  
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

**TUESDAY, 22 OCTOBER 2019  
AT 7:00PM**

The meeting went into confidence at 7:38 pm.

### ATTENDANCE RECORD

#### 1 ATTENDANCE RECORD

##### 1.1 Present

##### **MAYOR GLENN DOCHERTY – Principal Member**

Cr Marilyn Baker	Cr Andrew Craig	Cr Veronica Gossink
Cr David Kerrison	Cr Clint Marsh	Cr Misty Norris
Cr Jane Onuzans	Cr Dennis Ryan	Cr Gay Smallwood-Smith
Cr Katrina Stroet	Cr Cathy-Jo Tame	

Also in attendance for the meeting:

Chief Executive Officer  
Acting General Manager, Strategy and Corporate  
Acting General Manager, City Services  
Acting General Manager, Strategic Projects and  
Assets  
Acting Senior Manager, Governance  
Acting Senior Manager, Finance  
Acting Manager, Governance  
Senior Content and Communications Advisor  
Minute Taker

Mr Sam Green  
Ms Grace Pelle  
Mr Andrew Nesbitt  
Mr Greg Pattinson  
Ms Susie Reichstein  
Ms Samantha Grieve  
Ms Janine Harding  
Mr Rob McLean  
Ms Joanne Cross

## 17.1 HORTEX LICENCE AGREEMENT

**Responsible Executive Manager :** Grace Pelle

## B. THE BUSINESS MATTER

## COUNCIL RESOLUTION

3794

**Moved: Cr Baker**

**Seconded: Cr Smallwood-Smith**

Pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013, the CEO recommends that the Council revokes the resolution passed at the Council meeting of 25 June 2019, Resolution 3619, regarding changes to the Licence Agreement, the partnership agreement (Partnership Agreement) between the Council and Hortex and other licence arrangements at the VHC.

**CARRIED**

## COUNCIL RESOLUTION

3795

**Moved: Cr Kerrison**

**Seconded: Cr Tame**

1. That the Council acknowledges its obligations under:
  - the Partnership Agreement (Attachment 1); and
  - the Licence Agreement (Attachment 1).
2. Staff to, by the end of February 2020, issue a Request for Expressions of Interest (REOI) for the period commencing on 1 July 2020, for the use of the VHC and new partnering arrangements for the advancement of the horticultural industry beyond June 2020.
3. Staff to provide a presentation to Council regarding Expressions of Interest received from the REOI and seek feedback from Council regarding which Expressions of Interest Council would like to progress into developing new partnership agreement(s) and new licence agreement(s) for the use of the VHC.
4. Staff to then negotiate new partnership agreement(s) and licence agreement(s) for the use of the VHC, based on Council feedback.
5. Staff to then provide a report to Council regarding proposed new partnership agreement(s) and new licence agreement(s) for the VHC for its consideration and endorsement.

**CARRIED**

**C. PROCEDURAL DECISION - TO DECIDE HOW LONG ITEM 17.1 IS TO BE KEPT IN CONFIDENCE****COUNCIL RESOLUTION****3796****Moved: Cr Craig****Seconded: Cr Tame**

Pursuant to Section 90(2) and Section 91(7) of the Local Government Act 1999, the Committee orders that the following aspects of Item 17.1 be kept confidential, with the exception of the third parties to allow the enactment of the resolution, in accordance with Committee's reasons to deal with this item in confidence pursuant to Section 90 (3) (h) of the Local Government Act 1999:

- Report for Item 17.1
- Attachment(s) for Item 17.1
- Minutes for Item 17.1

This order shall operate until a Licence Agreement for the use of the VHC and new partnering arrangements for the advancement of the horticultural industry beyond June 2020 have been established, or will be reviewed and determined as part of the annual review by Council in accordance with Section 91(9)(a) of the Local Government Act 1999, whichever comes first.

**CARRIED**

*The meeting reopened to the public at 7:40 pm.*