

JOONDALUP LOTTERIES HOUSE INC Management Committee Meeting

1.00pm 13th August 2013 Conference Room Joondalup Lotteries House

1	MEETING OPENED – 1.05pm		
2	ATTENDANCE - Philip Kieran - Chairperson, Julie Forrester, Fran Edmeades, Rose Ngoga, Claire Beaton, Chris Paull and Dianne Webb - Administration Officer. Chris Paull is sitting in for Nicola Iannantuoni while Nicola is away on leave.		
3	APOLOGIES - Mandy Stringer		
4	CONFIRMATION OF PREVIOUS MINUTES		
	Motion: That the minutes of the meeting held on 13 th June 2013 are accepted and the business ratified as a true and correct record.		
	MOVED: Fran Edmeades SECONDED: Julie Forrester CARRIED		
5	Administration Update		
	Issue with leaking pipes behind air conditioning units between Youth Futures WA and Future Focus. Has now been resolved.		
	Problems with cleanliness of toilets, lack of toilet paper and soap dispensers not being refilled. Sanitary bin needs to be removed from behind the 3 rd cubicle door in the ladies as it prevents the door from being opened properly and could be a safety hazard.		
	Action		
	 D Webb to call Flick and advise them to put sanitary bin back in the correct place after checking with cleaners to make sure it is not the cleaner who is moving the bin. Notes to be left in communication book for cleaners. Dianne phoned Charles Cleaning Service on 20th August and Manager of Charles Cleaning Service coming in at 1pm to discuss problems with service. Order toilet supplies from Delshine. 		
6	Youth Futures WA – meeting attendance.		
	Claire from Youth Futures WA attended the meeting today, apologies were given for Claire not receiving information in relation to meeting, Claire has been added to mailing list.		
7	Financial Report		
	Financial report for Auditors needs to be accepted.		
	As the rent has increased by 5% other charges may also need to be increased, photocopying, faxing, Room Hire etc. A new and separate schedule needs to be prepared and distributed. P Kieran will have a look at the charges.		
	MOVED: Fran Edmeades SECONDED: Chris Paull CARRIED		

Minutes Joondalup Lotteries House Inc 15 August 2013

8 Building Security

P Kieran is receiving regular calls around midnight from Security to advise that the areas of the building have not be "signed off" correctly. We get billed \$91 for Security for callouts which is then passed on to the tenant responsible for not swiping their card correctly or not at all when leaving the building.

Action

After some discussion with after some discussion with attendees it was suggested that the house needs to have a Security Policy. Included in this policy will be an outline of charges to tenants who do not secure their area when leaving the building, this charge will be extra to the callout fee we are charged by Security Officers. Also each tenant should have an after hours contact for Security so that if their area has not been secured properly then they will receive the call from Security not Philip.

P Kieran to write policy.

D Webb to look for ADT Security Contract.

9 Air Conditioner servicing

A Jones had organised for all air conditioning systems to be serviced for Summer and Winter each year.

10 Cleaning Contract

Discussion about cleaning contract with Charles Cleaning Service and when it is due to expire. Due to complaints about cleanliness of toilets etc, perhaps we need to look at getting a different cleaning service to come in.

Action

D Webb to find cleaning contract.

11 | Fire Safety

In relation to a Fire Warden it was discussed that each tenant should training their employees in this matter. To have an overall Fire Warden is not necessary and not the House's responsibility. Whoever notices a fire is to set of Alarm which under the stairwell near the admin office on the ground floor. If the alarm goes off then everyone should leave. This will be put in the security policy.

Action

P Kieran to inform all tenant groups about this arrangement.

12 Young woman sleeping rough in courtyard

Hayley (young woman sleeping in courtyard) has now left.

13 Creche Update

Maryanne and Gary have left and Fiona has started with great enthusiasm. Numbers have picked up considerably since the last report of 15 children over a two month period, with 36 children between 14th June and 15th August 2013. There is still some of the grant for the creche remaining.

Minutes Joondalup Lotteries House Inc 15 August 2013

14 Other Business

Management Committee Positions

In relation to the position of Treasurer it was asked of the attendees if anyone was interested in taking over this position with no one volunteering.

It was suggested by J Forrester that the Volunteering WA is a good site to look for a new Treasurer.

Lights in the Car park aren't staying on – they should be on until at least 9pm

In relation to the extension to the extension of JLH – regular updates are now being provided on the City's website and J Forrester will update the committee at each meeting.

Also discussed was the need for a "Tenancy Committee" for JLH.

Members for the Tenancy Committee are Phil Kiernan, Mandy Stringer, Julie Forrester and Chris Paull.

Future Focus will be vacating their rooms on the 4th September. Youth Futures and also Pat Giles Centre have shown interest in these rooms. Foundation Housing are still paying rent until December and then we will need another tenant for that space.

We will need an application process and criteria before advertising for non for profit organisations. e.g. amount of space available, compatibility with other agencies already here.

A date needs to be set for the A.G.M. The committee will work on making arrangements and seeking new members.

Action

All members of the committee to advertise position for new Treasurer.

P Kieran will develop a selection criteria and advertisement to be developed for the vacant tenancies.

J Forrester will check with the City of Joondalup in relation to the lights in the car park.

15 Meeting Closed – 2.30pm

16 Future Meetings

October 10th, December 12th 1pm to 2.30pm at JLH



Minutes of Special Meeting of State Council

WALGA
15 Altona Street
Wednesday 25 September
2013



NOTICE OF SPECIAL MEETING

Notice of a Special Meeting of the Western Australian Local Government Association's State Council was issued in accordance with Clause 11.2 of the Association Constitution and Clauses 2 and 4.4 of the Standing Orders, to be held either in-person or via teleconference at WALGA, 15 Altona Street West Perth, on Wednesday, 25 September 2013 commencing at 8:00am.

The purpose of the meeting is to consider State Council Agenda Item 5.1, "Metropolitan Local Government Review - State Government Response" and the rescission of parts 2 a), b), and c) (Resolution No 243B.4/2013) as resolved at Ordinary State Council Meeting 4 September 2013, in accordance with Association Standing Orders 29.2;

1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS

1.1 Attendance

Chairman President of WALGA	May	yor	Tro	y Pickard
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Deputy President of WALGA President Cr Lynne Craigie

Pilbara Country Zone

Members Avon-Midland Country Zone Cr Lawrie Short

Central Country Zone Mayor Don Ennis
Central Metropolitan Zone Mayor Heather Henderson

Cr Janet Davidson
East Metropolitan Zone Cr Mick Wainwright

Goldfields Esperance Country Zone Mayor Ron Yuryevich AM RFD

Gascoyne Country Zone Cr Ross Winzer

Great Eastern Country Zone
Great Southern Country Zone
Murchison Country Zone
North Metropolitan Zone
President Cr Eileen O'Connell
President Cr Ken Clements
President Cr Simon Broad
Mayor Tracey Roberts JP

Cr Geoff Amphlett JP Cr David Michael

Northern Country Zone President Cr Karen Chappel South East Metropolitan Zone Mayor Cr Henry Zelones JP

Cr Julie Brown

South Metropolitan Zone Mayor Cr Carol Adams
Cr Doug Thompson

Cr Doug Thompson Cr Tony Romano

South West Country Zone President Cr Wayne Sanford

Secretariat Chief Executive Officer Ms Ricky Burges

Deputy Chief Executive Officer Mr Wayne Scheggia
EM Governance & Strategy Mr Tony Brown
EM Marketing & Communications Mr Zac Donovan

Manager Strategy & Reform Tim Lane

EO Governance and Strategy Ms Chantelle O'Brien

1.2 Apologies

East Metropolitan Zone Mayor Terence Kenyon

Kimberley Country Zone Cr Chris Mitchell

Cr Elsia Archer (Deputy)
President Cr Wally Barrett
Cr Marion Blair (Deputy)

Associate The Rt Hon Lord Mayor of the City of Ms Lisa Scaffidi

Perth

Peel Country Zone

Ex-Officio Local Government Managers Australia Dr Shayne Silcox

1.2 Announcements

The President would like to thank Mayor Henderson for contacting him to requisition the Special State Council Meeting as a matter of courtesy.

2. DECLARATIONS OF INTEREST

Nil

3. MATTERS FOR DECISION

3.1 Rescission Motion: Metropolitan Local Government Reform

4. CLOSURE

Agenda Item

3. MATTERS FOR DECISION

3.1 Rescission Motion: Metropolitan Local Government Reform – State Government Response (05-034-01-0018)

Motion Proposed by Mayor Heather Henderson – Central Metropolitan Zone

That the following State Council Resolution (Resolution No 243B.4/2013) be rescinded:

"That WALGA:

- 2. Adopt a position to support an amendment to the Metropolitan poll provisions, where any poll petitioned will be of the entire districts involved in the amalgamation proposal with the following conditions
 - a. For a poll to be held a petition will be required from 25% or electors of one local government
 - b. For an amalgamation to be rejected by the Minister, 50% of electors of all local governments proposed to be merged are required to vote, for it to be a valid poll.
 - c. a majority of votes at the poll against will defeat the amalgamation proposal."

In Brief

 A rescission motion has been received relating to State Council's position on amending the poll provisions contained in Schedule 2.1 of the Local Government Act 1995

Attachment

Nil.

Relevance to Strategic / Business Plan

- Providing strong representation for Local Government
- Providing effective leadership for Local Government
- Building a positive profile for Local Government
- Enhancing the capacity of Local Government to deliver services

Policy Implications

The outcomes of the Special State Council Meeting will contribute to the Association's policy positions.

Budgetary Implications

Nil.

Background

A rescission motion has been received in accordance with clause 29.2 of WALGA's Standing Orders:

29. Rescission of Resolution

29.2 At a future meeting

Unless a greater majority is required for a particular kind of decision under the Constitution (in which event that shall be the majority required), the State Council may rescind or alter a resolution made at an earlier meeting:

- a) by simple majority, where the representative intending to move the motion has, through the Chief Executive Officer, given written notice of the intended motion to each of the other representatives at least seven (7) days before the meeting; or
- b) by absolute majority, in any other case.

Mayor Heather Henderson (Central Metropolitan Zone) provided written notice of the intended motion as per part (a) of clause 29.2 above; therefore the voting requirement for the rescission motion is 'simple majority'.

Mayor Henderson's written statement, outlining the rationale for the rescission motion, is provided below:

Move rescission of the amendments to Recommendation 5.1 being numbered 5.1.2 a b c as per 29.2 of State Council Standing Orders.

The recommended motion, as circulated to Zones, was amended without notice by State Council in such a way as to

- 1. Negate the remainder of the motion as passed, and
- 2. Change WALGA's long standing policy as subsequently submitted to the Metropolitan Local Government Review Panel 2012, reiterated in the response to the Panel's Recommendations and, re-endorsed by way of a motion at the August 2013 AGM without notice or opportunity for Zones or members to respond.

Recommendation 5.1.1 states

"Oppose the State Government's proposal to remove in perpetuity the poll provisions for the metropolitan area contained in Schedule 2.1 of the Local Government Act 1995."

The President's suggested wording amendment to the AGM motion made it clear that opposition to removal of the poll provisions included opposition to amendments designed to lessen or render ineffective these provisions.

The amendment to the Recommendation renders the poll provisions for the metropolitan area ineffective and thus has the substantive and intended effect of removing them.

To change the poll requirements from 50% of a 50% poll of **the affected district** to 50% of 50% of the **combined affected districts** eliminates the right of self-determination of residents in the smaller district. The fate of a smaller district can only be determined by the vote in the larger districts. If no

one votes in the larger districts then the poll is not valid, even if everyone in the smaller district voted against the amalgamation. Thus the right to self-determination of the residents of a smaller district is permanently removed by this amendment which therefore negates the original motion.

The failure to follow due process to change a substantial policy having vital effect on member Councils is self-evident from what is set out in 5.2 above. A purported excuse that the urgency to change the policy without due notice or regard to Zone motions, duly passed and not voted on by State Council, was created by the imminent introduction of legislation into the parliament is not acceptable. When the Zones met to consider this Recommendation it was widely known when the Minister intended to introduce the amendment to the legislation. That an amendment was to be introduced was announced by the Minister on 31 July 2013. Any amendment to the Recommendation could have been circulated and discussed by Zones (either in formal, scheduled meeting or teleconference if required).

Secretariat Comment

The possibility of amending or removing the poll provisions contained in Schedule 2.1 of the *Local Government Act 1995* has been raised a number of times by the State Government.

2006 Local Government Advisory Board Report

The Local Government Advisory Board, in their 2006 report, discussed three options to amend the poll provisions:

- 1. Remove poll provisions;
- 2. Amend so that all affected districts are polled and the votes are combined; and,
- 3. Amend so that all affected districts are polled and the results are averaged.

The Advisory Board report ultimately recommended that the poll provisions should be removed from the *Local Government Act 1995*.

In June 2006, WALGA resolved that the LGAB report be noted and referred for consideration as inputs to the Systemic Sustainability Study.

2010 Local Government Reform Steering Committee Report

In 2010, the Local Government Reform Steering Committee recommended along similar lines:

Recommendation 3

Consider the following legislative options to facilitate the implementation of recommendation 2:

- a. Remove the poll provisions from the Local Government Act 1995;
- b. Retain the poll provisions but amend so that the poll is of all affected districts and votes combined;
- c. Retain the poll provisions, but amend so that poll is of all affected districts and votes averaged;
- d. Introduce specific restructuring legislation.

In October 2010, in response to the Local Government Reform Steering Committee's report, State Council resolved to oppose recommendation 3, above.

2012 Metropolitan Local Government Review Process

The poll provisions formed a part of WALGA's response to the Metropolitan Local Government Review Panel's Recommendation 14:

Panel Recommendation 14

The Local Government Advisory Board be dissolved and its operating and process provisions in the Local Government Act 1995 be rescinded, with the Local Government Commission taking over its roles, including consideration of representation reviews.

WALGA's response to this recommendation in its submission to the Government was:

Panel Recommendation 14 is CONDITIONALLY SUPPORTED, subject to:

- The 'poll provisions' in Schedule 2.1 of the Act not being repealed; and,
- The Local Government Commission having a substantial capacity building role.

2013 WALGA Annual General Meeting

The poll provisions were considered at WALGA's 2013 Annual General Meeting as an item of special urgent business.

The following resolution was passed at the AGM:

That WALGA condemns the removal of the "poll provisions" from Schedule 2.1 of the Local Government Act 1995 and the forced amalgamations of Local Government Councils.

<u>September 2013 WALGA State Council Meeting: Metropolitan Local Government Reform - State Government Response</u>

The poll provisions were considered by State Council at their 4 September 2013 meeting.

In particular, the State Government's intention to amend the *Local Government Act 1995* to remove the poll provisions contained in Schedule 2.1 for the metropolitan area was discussed by State Council.

As WALGA's longstanding policy position has been to oppose any amendment to the *Local Government Act 1995* that removes or amends the poll provisions, State Council resolved to:

Oppose the State Government's proposal to remove in perpetuity the poll provisions for the metropolitan area contained in Schedule 2.1 of the Local Government Act 1995.

After discussing the prospect of the State Government amending, rather than removing the poll provisions for the metropolitan area, State Council also resolved to:

Adopt a position to support an amendment to the metropolitan poll provisions, where any poll petitioned will be of the entire districts involved in the amalgamation proposal with the following conditions:

 a) For a poll to be held a petition will be required from 25 percent of electors of one Local Government;

- b) For an amalgamation to be rejected by the Minister, 50 percent of electors of all Local Governments proposed to be merged are required to vote, for it to be a valid poll;
- c) A majority of votes at the poll against will defeat the amalgamation proposal.

State Council consideration of the rescission motion is requested.

Cr David Michael joined the meeting at 8.10am

Moved: Mayor H Henderson Seconded: Cr E O'Connell

That the following State Council Resolution (Resolution No 243B.4/2013) be rescinded:

That WALGA:

- 2. Adopt a position to support an amendment to the Metropolitan poll provisions, where any poll petitioned will be of the entire districts involved in the amalgamation proposal with the following conditions
 - a. For a poll to be held a petition will be required from 25% or electors of one local government
 - b. For an amalgamation to be rejected by the Minister, 50% of electors of all local governments proposed to be merged are required to vote, for it to be a valid poll.
 - c. a majority of votes at the poll against will defeat the amalgamation proposal.

RESOLUTION 4.2/2013

CARRIED UNANIMOUSLY

MOTION

Moved: Cr G Amphlett

Seconded: Mayor H Zelones

That the President be requested to convene a Special meeting of State Council in the event the State Government introduces a Bill in to Parliament that amends, not suspends, the Poll Provisions ensuring suitable time in advance of the meeting for engagement with Zones.

AMENDMENT

Moved: Cr D Thompson Seconded: Cr M Wainwright

Delete the words "ensuring suitable time in advance of the meeting for engagement with Zones" and replace with a new point 2 as follows:

WALGA make all reasonable effort within the available timeframe prior to the Special Meeting of Council to ensure that all Zones have adequate input.

THE AMENDMENT BECAME THE MOTION

- 1) That the President be requested to convene a Special meeting of State Council in the event the State Government introduces a Bill in to Parliament that amends, not suspends, the Poll Provisions.
- 2) WALGA make all reasonable effort within the available timeframe prior to the Special Meeting of State Council to ensure that all Zones have adequate input.

RESOLUTION 5.2/2013

CARRIED UNANIMOULSY

Mayor Henry Zelones left the meeting and did not return at 8.40am.

4. CLOSE

With there being no further business the President declared the meeting closed at 8.50am.



MINUTES

ORDINARY COUNCIL MEETING

TIME: 5.30PM

THURSDAY 10 OCTOBER 2013

CITY OF PERTH

Managing waste and recovering resources responsibly Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo Towns of Cambridge and Victoria Park















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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chair declared the meeting open at 5.30pm.

2 ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

PRESENT: Chairman Cr R Fishwick

Cr J Bissett
Cr D Boothman
Cr R Butler
Cr S Cooke
Cr L Gray JP
Cr K Hollywood
Cr D Maier
Cr D Newton JP
Cr B Stewart
Cr S Withers

APOLOGIES: Cr J Robbins

LEAVE OF ABSENCE: Nil

ABSENT: Nil

IN ATTENDANCE:

MRC Officers: B Callander Chief Executive Officer

G Hoppe Director Corporate Services

S Abbott A/Executive Support

Member Council Observers: N Claassen City of Joondalup

G Eves City of Stirling
D Forster City of Perth
J Giorgio City of Vincent
A Murphy City of Joondalup

Cr S Proud City of Stirling, (Doubleview Ward)

D Simms City of Wanneroo G Stevenson City of Perth

VISITORS: Nil MEDIA: Nil PUBLIC: 1

3 DECLARATION OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Nil

5 ANNOUNCEMENTS BY THE PRESIDING PERSON

The Chairman wished Cr Gray, Cr Hollywood and Cr Newton all the best with the upcoming elections and congratulated Cr Boothman on his re-election unopposed.

The Chairman thanked all Councillors for the professional and committed contribution to the Mindarie Regional Council business and the courtesy shown to each other and the Chair during the meetings. The Chairman also thanked the MRC staff members Brian Callander, Gunther Hoppe and Lynda Nyssen for their service throughout the year.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

8.1 ORDINARY COUNCIL MEETING – 5 September 2013

The Minutes of the Ordinary Council Meeting held on 5 September 2013 have been printed and circulated to members of the Council.

RESPONSIBLE OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting of Council held on 5 September 2013 be confirmed as a true record of the proceedings.

RESOLVED

Cr Boothman moved, Cr Newton seconded That the recommendation be adopted.

CARRIED UNANIMOUSLY (11/0)

9 CHIEF EXECUTIVE OFFICER REPORTS

9.1	FINANCIAL STATEMENTS FOR THE PERIODS ENDED 31 JULY 2013 AND 31 AUGUST 2013
File No:	FIN/5-03
Appendix(s):	Appendix No. 1 Appendix No. 2 Appendix No. 3
Date:	23 September 2013
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to provide financial reporting in line with statutory requirements which provides useful information to stakeholders of the Council.

BACKGROUND

Reporting requirements are defined by Financial Management Regulations 34 of the Local Government (Financial Management) Regulations 1996.

The financial statements presented for each month consist of:

- Operating Statement by Nature Combined
- Operating Statement by Nature RRF Only
- Operating Statement by Function
- Statement of Financial Activity
- Statement of Reserves
- Statement of Financial Position
- Statement of Investing Activities
- Information on Borrowings
- Tonnage Report

DETAIL

The Financial Statements attached are for the months ended 31 July 2013 and 31 August 2013 and are attached at **Appendix No. 1 and 2** to this Item. The Tonnage Report for the 12 months to 30 June 2013 is attached at **Appendix No. 3**.

The complete suite of Financial Statements which includes the Operating Statements, Statement of Financial Position, Statement of Financial Activity and other related information are reported on a monthly basis.

The estimates for Provisions for Amortisation of Cell Development, Capping and Post Closure expenditure are based on the estimated rates per tonne calculated with reference to estimated excavation cost of various stages of the landfill and the life of the landfill. An adjustment is made (if necessary) at the end of the year based on actual tonnages on a survey carried out to assess the "air space" remaining and other relevant information.

The results for the year ended 30 June 2013 are still subject to external audit which may result in changes to the numbers included in this report, including certain balance sheet reclassifications and reserve transfers. It is not expected however, that there will be material changes to the underlying profit numbers reported.

Summary of results for the year to 31 August 2013

	Actual	Budget	Variance
	t	t	t
Tonnes – Members	48,811	53,421	(4,610)
Tonnes – Others	5,300	6,774	(1,474)
TOTAL TONNES	54,111	60,195	(6,084)
	\$	\$	\$
Revenue – Members	7,051,322	7,714,527	(663,205)
Revenue – Other	1,330,454	1,587,202	(256,748)
TOTAL REVENUE	8,381,776	9,301,729	(919,953)
Expenses	7,079,969	7,724,973	645,004
Loss/(profit) on sale of assets	-	-	-
NET SURPLUS	1,301,807	1,576,756	(274,949)

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the Financial Statements set out in Appendix No. 1 and 2 for the months ended 31 July 2013 and 31 August 2013, respectively, be received.

RESOLVED

Cr Stewart moved, Cr Butler seconded. That the recommendation be adopted.

CARRIED UNANIMOUSLY (11/0)

9.2	LIST OF PAYMENTS MADE FOR THE MONTHS ENDED 31 JULY 2013 AND 31 AUGUST 2013
File No:	FIN/5-03
Appendix(s):	Appendix No. 4 Appendix No. 5
Date:	23 September 2013
Responsible Officer:	Director Corporate Services

SUMMARY

The purpose of this report is to provide details of payments made during the periods identified. This is in line with the requirement under the delegated authority to the Chief Executive Officer (CEO), that a list of payments made from the Municipal Fund since the last Ordinary Council meeting be presented to Council.

COMMENT

The lists of payments for the months ended 31 July 2013 and 31 August 2013 are at **Appendix 4 and 5** to this Item and are presented to Council for noting. Payments have been made in accordance with the delegated authority to the CEO which allows payments to be made between meetings. At the Ordinary Council Meeting held on 5 September 2013, the Council delegated to the CEO the exercise of its power to make payments from the Municipal Fund. In order to satisfy the requirements of Clause 13(2) of the Local Government (Financial Management) Regulations, a list of payments made must be submitted to the next Council meeting following such payments.

It should be noted that generally all payments are GST inclusive and the Mindarie Regional Council is able to claim this tax as an input credit when GST remittances are made each month to the Australian Tax Office.

Months Ended	Account	Vouchers	Amount
		Cheques	\$98,299.78
31 July 2013	General Municipal	EFT	\$3,436,943.03
		DP	\$304,435.23
		Total	\$3,839,678.04
		Cheques	\$87,363.89
31 August 2013	General Municipal	EFT	\$3,164,751.88
		DP	\$297,069.30
		Total	\$3,549,185.07

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That the list of payments made under delegated authority to the Chief Executive Officer, for the months ended 31 July 2013 and 31 August 2013 be noted.

RESOLVED

Cr Stewart moved, Cr Butler seconded. That the recommendation be adopted.

CARRIED UNANIMOUSLY (11/0)

9.3	DATES FOR 2014 MINDARIE REGIONAL COUNCIL AND STRATEGIC MEETINGS
File No:	COR/10-02
Appendix(s):	Nil
Date:	23 September 2013
Responsible Officer:	Chief Executive Officer

SUMMARY

The purpose of this report is to provide the proposed meeting dates for Ordinary Council Meetings and Strategic Meetings for 2014.

BACKGROUND

The Mindarie Regional Council (MRC) has previously considered, in December of each year, the Council meeting schedule for the forthcoming calendar year, and decided upon a schedule for these meetings.

DETAIL

The business rules used in the formulation of Council meetings scheduled for Year 2014 are as follows:

- The six Council meetings be held in the calendar year 2014.
- The third meeting be held in early July 2014 to accommodate the swearing in of Councillors, and the appointment of Chairman and Deputy Chairman. This assumes that current rules will still apply.
- The meeting scheduled for December be held relatively early in the month to accommodate other commitments of the festive season.
- The Tamala Park Regional Council meeting dates for 2014 be considered.
- The WALGA Metropolitan Zone meeting dates for 2014 be considered.
- Meetings be scheduled at the Chambers of Member Councils.

In addition to the above it is considered important that the councillors, member council representatives on the Strategic Working Group and MRC management have the ability to meet throughout the year on an informal basis to discuss strategic direction.

Programme of Meetings

The proposed schedule of Ordinary Council meetings for Year 2014 is as follows:

- 13 February 2014 (City of Joondalup)
- 24 April 2014 (City of Wanneroo)
- 3 July 2014 (City of Stirling)
- 4 September 2014 (City of Vincent)
- 23 October 2014 (City of Perth)
- 11 December 2014 (Town of Victoria Park)

The proposed schedule of Strategic workshops for 2014 is as follows:

- 6 March 2014
- 20 November 2014

Venue to be confirmed.

STATUTORY ENVIRONMENT

Part 12 (1) and (2) of the Local Government (Administration) Regulations 1996 requires local government to issue public notice of its meeting dates at least once per year stating:

- "12. Meetings, public notice of (Act s. 5.25(1)(g))
 - (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,

are to be held in the next 12 months.

- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- S.1.7 of the Local Government Act 1995 prescribes local public notice as:
 - "1.7. Local public notice
 - (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be
 - (a) published in a newspaper circulating generally throughout the district; and
 - (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.
 - (2) Unless expressly stated otherwise it is sufficient if the notice is
 - (a) published under subsection (1)(a) on at least one occasion; and
 - (b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than
 - (i) the time prescribed for the purposes of this paragraph; or
 - (ii) if no time is prescribed, 7 days.

POLICY IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

COMMENT

The proposed schedule for Ordinary Council meetings for the Year 2014 is now submitted for approval. In addition it is recommended that the Council endorse the scheduling of two strategic meetings throughout the year.

VOTING REQUIREMENT

Simple Majority

RESPONSIBLE OFFICER RECOMMENDATION

That Council:

- 1. adopt the following schedule for Ordinary Council Meetings for the Year 2014:
 - 13 February 2014 (City of Joondalup)
 - 24 April 2014 (City of Wanneroo)
 - 3 July 2014 (City of Stirling)
 - 4 September 2014 (City of Vincent)
 - 23 October 2014 (City of Perth)
 - 11 December 2014 (Town of Victoria Park); and
- 2. Public Notice be issued on the meetings detailed in (1) above in accordance with Part 12 (2) of the *Local Government (Administration) Regulations 1996* and Section 1.7 of the *Local Government Act 1995.*
- 3. adopt the following schedule for two Strategic workshops for 2014 as follows:
 - 6 March 2014; and
 - 20 November 2014.

RESOLVED

Cr Hollywood moved, Cr Stewart seconded. That the recommendation be adopted.

CARRIED UNANIMOUSLY (11/0)

10 MEMBERS INFORMATION BULLETIN – ISSUE NO. 13

RESPONSIBLE OFFICER RECOMMENDATION

That the Members Information Bulletin Issue No 13 be received.

RESOLVED

Cr Boothman moved, Cr Cooke seconded.

That the recommendation be adopted.

CARRIED UNANIMOUSLY (11/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 URGENT BUSINESS

Nil

13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

14 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

14.1 RESOURCE RECOVERY FACILITY AGREEMENT – AMENDED AND RESTATED SECOND STANDSTILL DEED

Late confidential item withdrawn by CEO and held over to meeting on Thursday 12 December 2013.

14.2 LANDFILL GAS AND POWER CONTRACT NEGOTIATIONS

Late confidential item withdrawn by CEO and held over to meeting on Thursday 12 December 2013.

15 NEXT MEETING

Next ordinary council meeting to be held on Thursday 12 December 2013 in the Council Chambers at Town of Victoria Park commencing at 5.30pm.

16 CLOSURE

The Chairman closed the meeting at 5.35 pm and thanked the City of Perth for their hospitality and the use of their meeting facilities.

These Minutes were confirmed by the Council as a true and accurate record of the Ordina Meeting of the Council held on 10 October 2013.	ary
Signed Chairmai	n
Dated this	3



Ordinary Meeting of Council

MINUTES

Thursday 17 October 2013 Town of Victoria Park, 6.00pm

TAMALA PARK
REGIONAL COUNCIL
(TPRC)
COMPRISES THE
FOLLOWING
COUNCILS:

Town of Cambridge City of Joondalup City of Perth City of Stirling Town of Victoria Park City of Vincent City of Wanneroo

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Corinne MacRae	
City of Joondalup	Cr Geoff Amphlett	
	Cr Tom McLean	
City of Perth	Cr Jim Adamos	
City of Stirling	Cr Giovanni Italiano	Cr Stephanie Proud
	(CHAIRMAN)	
	Cr David Michael	
	Cr Terry Tyzack	
	Cr Rod Willox	
Town of Victoria Park	Mayor Trevor Vaughan	Cr David Ashton
	(DEPUTY CHAIRMAN)	
City of Vincent	Cr Joshua Topelberg	
City of Wanneroo	Cr Frank Cvitan	Cr Bob Smithson
	Cr Dianne Guise	Cr Stuart Mackenzie

NB: Although some Councils have nominated alternate members, it is a precursor to any alternate member acting that a Council carries a specific resolution for each occasion that the alternate member is to act, referencing Section 51 of the Interpretation Act. The current Local Government Act does not provide for the appointment of deputy or alternate members of Regional Councils. The DLGRD is preparing an amendment to rectify this situation.

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PRESENT

Chairman Cr Giovanni Italiano

Councillors Cr Jim Adamos

Cr Geoff Amphlett

Cr Frank Cvitan (from 6.01pm)

Cr Dianne Guise
Cr Corinne MacRae
Cr Tom McLean
Cr David Michael
Cr Joshua Topelberg
Cr Terry Tyzack
Cr Trevor Vaughan
Cr Rod Willox

Alternate Members Nil

Staff Mr Tony Arias (Chief Executive Officer)

Mr Wayne Burns (Senior Projects Officer)
Mrs Kylie Jeffs (Executive Assistant)

Apologies Councillors Nil

Leave of Absence Nil

Absent Nil

Consultants Mr Brenton Downing (Satterley Property Group)

Mr Aaron Grant (Satterley Property Group)
Mr Mark Hunter (Satterley Property Group)
Mr Nigel Satterley (Satterley Property Group)

Apologies Participant Councils' Advisers

Mr Garry Hunt (City of Joondalup)

In Attendance

Participant Councils'

Advisers

Mr John Giorgi (City of Vincent) Mr Stuart Jardine (City of Stirling)

Mr Arthur Kyron (Town of Victoria Park)

Mr John Paton (City of Wanneroo) Cr Stephanie Proud (City of Stirling)

Members of the Public Nil

Press Nil

1. OFFICIAL OPENING

At 6.00pm the Chairman declared the meeting of the Tamala Park Regional Council open.

DISCLOSURE OF INTERESTS

Disclosure of Interest forms were received as follows:

Satterley Property Group Item 9.8 Impartial Interest Cossill & Webley Item 9.8 Impartial Interest

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Nil

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council - 22 August 2013

Moved Cr R Willox, Seconded Cr C MacRae

That the minutes of the Ordinary Meeting of Council of 22 August 2013 be confirmed, and signed by the Chairman, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (12/0).

5A. BUSINESS ARISING FROM THE MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIRMAN (WITHOUT DISCUSSION)

Nil

7. MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 9.10 – Development Management Agreement – Key People Item 9.11 – CEO Performance Review 2012-13

8. REPORTS OF COMMITTEES

- CEO Performance Review Committee Meeting 3 October 2013
- Management Committee Meeting 3 October 2013

9. ADMINISTRATION REPORTS

9.1 BUSINESS REPORT – PERIOD ENDING 10 OCTOBER 2013

Moved Cr R Willox, Seconded Cr T Vaughan

[The recommendation in the agenda]

That the Council RECEIVE the Business Report to 10 October 2013.

The Motion was put and declared CARRIED (12/0).

9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF JULY & AUGUST 2013

Moved Cr T McLean, Seconded Cr C MacRae

[The recommendation in the agenda]

That Council RECEIVE and NOTE the Statement of Financial Activity for the months ending:

- 31 July 2013; and
- 31 August 2013.

The Motion was put and declared CARRIED (12/0).

9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF AUGUST & SEPTEMBER 2013

Moved Cr R Willox, Seconded Cr T Tyzack

[The recommendation in the agenda]

That the Council RECEIVE and NOTE the list of accounts paid under Delegated Authority to the CEO for the months of August and September 2013:

- Month ending 31 August 2013 (Total \$2,460,180.06)
- Month ending 30 September 2013 (Total \$2,917,415.08)
- Total Paid \$5,377,595.14

The Motion was put and declared CARRIED (12/0).

9.4 PROJECT FINANCIAL REPORT – AUGUST 2013

Moved Cr J Adamos, Seconded Cr D Michael

[The recommendation in the agenda]

That the Council RECEIVE the Project Financial Report (August 2013) submitted by the Satterley Property Group.

The Motion was put and declared CARRIED (12/0).

9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 10 OCTOBER 2013

Subject to the correction of the balance amount in the Financial/Budget Implications of \$40,783.240.

Mr Nigel Satterley (Satterley Property Group) provided an update on market conditions, lot sales and settlements.

Moved Cr J Topelberg, Seconded Cr J Adamos

[The recommendation in the agenda]

That the Council RECEIVE the Sales and Settlements Report to 10 October 2013.

The Motion was put and declared CARRIED (12/0).

9.6 COUNCIL MEETING SCHEDULE 2014

Moved Cr T McLean, Seconded Cr G Amphlett

[The recommendation in the agenda]

- That the schedule of Council meetings dates be APPROVED for 2014 as follows:
 - 20 February 2014 (City of Perth)
 - 10 April 2014 (City of Wanneroo)
 - 19 June 2014 (Town of Cambridge)
 - 21 August 2014 (City of Joondalup)
 - 16 October 2014 (City of Stirling)
 - 18 December 2014 (Town of Victoria Park)
- 2. That the schedule of meeting dates be ADVERTISED as required by the Local Government Act.
- 3. That the commencement time for meetings BE 6.00pm.
- 4. That Council meetings be HELD on a rotational basis at participant Council premises.

The Motion was put and declared CARRIED 129/0).

9.7 MANAGEMENT COMMITTEE MEETING SCHEDULE 2014

Moved Cr D Michael, Seconded Cr T McLean

[The recommendation in the agenda]

- 1. That the schedule of Management Committee meetings dates be APPROVED for 2014 as follows:
 - 6 March 2014
 - 29 May 2014
 - 31 July 2014
 - 25 September 2014
 - 27 November 2014
- 2. That the schedule of meeting dates be ADVERTISED as required by the Local Government Act.

- 3. That the commencement time for meetings BE 5.00pm.
- 4. That the venues for the 2014 Management Committee meetings be DETERMINED at the next Management Committee meeting being held on 5 December 2013.

The Motion was put and declared CARRIED (12/0).

9.8 STAGE 9 & 10 CIVIL WORKS CONTRACT AWARD

Satterley Property Group declared an impartial interest in this item.

Cossill & Webley declared an impartial interest in this item.

Moved Cr J Topelberg, Seconded Cr R Willox

[The recommendation in the agenda]

- 1. ACCEPT the Catalina Stage 9 and 10 civil works pricing submitted by R J Vincent (in accordance with approved Tender 5/2013) for the lump sum value of \$4,387,966 (excluding GST), subject to relevant statutory approvals being obtained.
- 2. AUTHORISE the Chairman and CEO to sign and affix the TPRC common seal to the Contract.

The Motion was put and declared CARRIED (12/0).

9.9 CATALINA HOUSING AND BUILT FORM STRATEGY

Moved Cr C MacRae, Seconded Cr T Tyzack

[The recommendation in the agenda]

- 1. RECEIVE the Catalina Housing and Built Form Strategy, September 2013, submitted by the Satterley Property Group, for strategic guidance in delivering housing and built form outcomes within the Catalina project.
- 2. REQUEST the Satterley Property Group to review the outcomes and strategic direction of the Catalina Housing and Built Form Strategy, September 2013 in 24 months.
- 3. DETERMINE that the Key Performance Indicator Item 3.6.1, Built Form and Demonstration Housing Strategy, June 2011, requiring the preparation of a Built Form And Demonstration Housing Strategy, June 2012, has been met.

The Motion was put and declared CARRIED (12/0).

Moved Cr R Willox, Seconded Cr D Michael

That the meeting move behind closed doors at 6.15pm to allow confidential items 9.10 and 9.11 to be discussed.

The Motion was put and declared CARRIED (12/0).

9.10 DEVELOPMENT MANAGEMENT AGREEMENT – KEY PEOPLE - CONFIDENTIAL

Moved Cr D Michael, Seconded Cr T Tyzack

[The recommendation in the agenda]

That the Council resolve to APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement;

Name of Person	Job
Nigel Satterley	Marketing

Name of Replacement Person	Job
Anthea Halliday	Marketing

The Motion was put and declared CARRIED (12/0).

9.11 CEO PERFORMANCE REVIEW 2012-13 - CONFIDENTIAL

Moved Cr T Tyzack, Seconded Cr R Willox

[The recommendation in the agenda]

- 1. That the Annual Appraisal Report, dated 3 October 2013, submitted by WALGA Workplace Solutions be RECEIVED.
- 2. That the CEO remuneration package be APPROVED as per the recommendations of the CEO Performance Review Committee meeting of 3 October 2013.
- 3. That the Council COMMENCES discussions regarding a further contract beyond 12 October 2014, in accordance with the terms of the current contract of employment.

Moved Cr F Cvitan, Seconded Cr C MacRae

An amendment to recommendation 3 as follows:

3. That the Council ENTERS INTO discussions in accordance with the terms of the current contract of employment regarding a further contract beyond 12 October 2014.

The Motion was put and declared CARRIED (12/0).

Moved Cr J Topelberg, Seconded Cr D Guise

An additional recommendation 4 as follows:

4. ENGAGE an external consultant to assist with the development of the CEO's contract.

The Motion was put and declared CARRIED (11/1).

For: Cr J Adamos, Cr F Cvitan, Cr D Guise, Cr G Italiano, Cr C MacRae, Cr T McLean, Cr D Michael, Cr J Topelberg, Cr T Tyzack, Cr T Vaughan and Cr R Willox.

Against: Cr G Amphlett

Moved Cr F Cvitan, Seconded Cr C MacRae

An additional recommendation 5 as follows:

5. That the 2013/14 CEO Performance Review be COMPLETED in tiem for presentation to the October 2014 Council meeting.

The Motion was put and declared CARRIED (12/0).

The Motion for amendment was then read aloud as follows:

- 1. That the Annual Appraisal Report, dated 3 October 2013, submitted by WALGA Workplace Solutions be RECEIVED.
- 2. That the CEO remuneration package be APPROVED as per the recommendations of the CEO Performance Review Committee meeting of 3 October 2013.
- 3. That the Council ENTERS INTO discussions in accordance with the terms of the current contract of employment regarding a further contract beyond 12 October 2014.
- 4. ENGAGE an external consultant to assist with the development of the CEO's contract.
- 5. That the 2013/14 CEO Performance Review be COMPLETED in time for presentation to the October 2014 Council meeting.

The Motion for amendment was put and declared CARRIED (12/0).

The Motion as then amended was put and declared CARRIED (12/0).

Moved Cr D Michael, Seconded Cr F Cvitan

That standing orders be reopened and the meeting doors be opened at 6.45pm.

The Motion was put and declared CARRIED (12/0).

The recommendations for items 9.10 and 9.11 were read out as follows:

Item 9.10

That the Council resolve to APPROVE the following replacement of key personnel pursuant to Clause 4.5 of the Development Management Agreement;

Name of Person	Job
Nigel Satterley	Marketing

Name of Replacement Person	Job
Anthea Halliday	Marketing

Item 9.11

1. That the Annual Appraisal Report, dated 3 October 2013, submitted by WALGA Workplace Solutions be RECEIVED.

- 2. That the CEO remuneration package be APPROVED as per the recommendations of the CEO Performance Review Committee meeting of 3 October 2013.
- 3. That the Council ENTERS INTO discussions in accordance with the terms of the current contract of employment regarding a further contract beyond 12 October 2014.
- 4. ENGAGE an external consultant to assist with the development of the CEO's contract.
- 5. That the 2013/14 CEO Performance Review be COMPLETED in time for presentation to the October 2014 Council meeting.

10. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

11. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

12. URGENT BUSINESS APPROVED BY THE CHAIRMAN

Nil

13. MATTERS BEHIND CLOSED DOORS

- Item 9.10 Development Management Agreement Key People
- Item 9.11 CEO Performance Review 2012-13

14. GENERAL BUSINESS

The Chairman thanked the councillors for their efforts over the previous 2 years and expressed his pleasure in performing his role as Chairman of the TPRC. He thanked the TPRC CEO (Mr Tony Arias), Senior Projects Officer (Mr Wayne Burns) and Executive Assistant (Mrs Kylie Jeffs) for their efforts. He thanked Mr Nigel Satterley and all the team at Satterley Property Group and also Cr Stephanie Proud (City of Stirling) for her role as deputy member.

The Chairman outlined the achievement of the past 2 years including the following:

- Structure Plan approval;
- Environmental issues approved;
- \$45M worth of lot sales;
- 350 lots sold; and
- First dividend to be distributed in December 2013.

The Chairman concluded by wishing his fellow councillors well with the upcoming local government election.

15. FORMAL CLOSURE OF MEETING

The Chairman declared the meeting closed at 6.55pm.

Minutes TPRC Ordinary Meeting of Council - 17 October 2013

These minutes were confirmed at a meeting or	າ	
SIGNED this	day of	2013
as a true record of proceedings.		
	CHAIRMA	 N