

ORDINARY MEETING

MINUTES

19 MARCH 2019

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REPORT OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON ON TUESDAY, 19 MARCH 2019 COMMENCING AT 9.00AM

1 OPENING

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)

Councillor C E Smith

Councillor C R Rutherford

Councillor M D Wickerson

Councillor A P Williams

Councillor R A Swadling

Councillor N K Fisher

In Attendance:

Mr E Pardon - Chief Executive Officer

Mr R Cheesman - Deputy Chief Executive Officer

Mr P Kofod – General Manager Regional Services

Mr T Cullen – General Manager Advance Rockhampton

Ms C Worthy – General Manager Community Services

Ms A Cutler - Chief Financial Officer

Mr S Gatt - Manager Planning and Regulatory Services

Mr A Collins - Manager Project Delivery

Mr D Morrison - Executive Coordinator to the Mayor

Ms T Fitzgibbon – Coordinator Development Assessment

Mr M Mansfield - Coordinator Media and Communications

Ms A Brennan – Coordinator Legal and Governance

Ms T Finch - Safety Supervisor

Ms R Phelan - Project Officer

Ms K Talbot - Senior Media Officer

Ms E Brodel – Media Officer

Ms G Dwyer – Media Officer

Ms L Leeder – Senior Committee Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Stephen Schwarten tendered his apology and did not attend

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 5 March 2019 be taken as read and adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:00AM

Councillor Rose Swadling informed the meeting of an interest in Item 16.6 – South Rockhampton Flood Levee Project and declared the following:

"I declare that I have a personal interest in this matter due to a number of family members having interest in property in the vicinity of the land detailed in the report, and I will be dealing with this declared personal interest by leaving the meeting while this matter is discussed and voted on."

9:01AM

Councillor Drew Wickerson informed the meeting of an interest in Item 16.3 – Property Acquisition Matter and declared the following:

"I declare that I have a personal interest in this matter as I have done previous consultancy for the Mount Morgan Historical Museum, and I will be dealing with this declared personal interest by leaving the meeting while this matter is discussed and voted on."

6 BUSINESS OUTSTANDING

7 PUBLIC FORUMS/DEPUTATIONS

8 PRESENTATION OF PETITIONS

9 COMMITTEE REPORTS

10 COUNCILLOR/DELEGATE REPORTS

10.1 COUNCILLOR DISCRETIONARY FUND - CENTRAL QUEENSLAND PIPES AND DRUMS

File No: 8295 Attachments: Nil

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Nicole Semfel - Executive Support Officer

SUMMARY

Approval is sought from Council for a donation from Councillor Rutherford's Councillor Discretionary Fund and Councillor Fisher's Councillor Discretionary Fund to assist the Central Queensland Pipes and Drums in purchasing training instruments.

COUNCIL RESOLUTION

THAT approval be granted for a donation of \$150 from Councillor Rutherford's Councillor Discretionary Fund and \$160 from Councillor Fisher's Councillor Discretionary Fund to assist the Central Queensland Pipes and Drums in purchasing training instruments.

Moved by: Councillor Rutherford Seconded by: Councillor Fisher

11 OFFICERS' REPORTS

11.1 ADOPTION OF INFRASTRUCTURE CHARGES COLLECTION POLICY

File No: 7028

Attachments: 1. Final Draft Infrastructure Charges Collection

Policy

Authorising Officer: Steven Gatt - Acting General Manager Community

Services

Author: Tarnya Fitzgibbon - Coordinator Development

Assessment

SUMMARY

The Development Assessment Unit has developed a new policy in relation to the levying, collection and management of collection of infrastructure charges. The policy is supported by a procedure for the collection of infrastructure charges.

COUNCIL RESOLUTION

THAT the Infrastructure Charges Collection Policy be adopted.

Moved by: Councillor Smith
Seconded by: Councillor Swadling

11.2 ANTI-COMPETITIVE TESTING OF PROPOSED LOCAL LAWS AND SUBORDINATE LOCAL LAWS

File No: 11698 Attachments: Nil

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: Steven Gatt - Manager Planning and Regulatory

Services

SUMMARY

As part of the local law making process, Council is required to test possible anti-competitive provisions identified in the proposed local law and subordinate local laws.

COUNCIL RESOLUTION

THAT Council resolves to

- 1. Propose to make each of the following:-
 - a) Alteration or Improvement to Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No.1) 2019 (formerly referred to as Alteration or Improvement to Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2018);
 - b) Commercial Use of Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019 (formerly referred to as Commercial Use of Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2018);
 - c) Keeping of Animals (Subordinate Local Law (No. 1) 2019 (formerly referred to as Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2018);
 - d) Undertaking Regulated Activities on Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019 (formerly referred to as Undertaking Regulated Activities on Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2018);
 - e) Carrying Out Works on a Road or Interfering with a Road or its Operation (Amendment) Subordinate Local Law (No. 1) 2019 (formerly referred to as Carrying Out Works on a Road or Interfering with a Road or its Operation (Amendment) Subordinate Local Law (No. 1) 2018);
 - f) Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee (Amendment) Subordinate Local Law (No. 1) 2019 (formerly referred to as Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee (Amendment) Subordinate Local Law (No. 1) 2018);
 - g) Use of a Vehicle on an Airside Area (Amendment) Subordinate Local Law (No. 1) 2019 (formerly referred to as Use of a Vehicle on an Airside Area (Amendment) Subordinate Local Law (No. 1) 2018);
 - h) Animal Management (Amendment) Local Law (No. 1) 2019 (formerly referred to as Animal Management (Amendment) Local Law (No. 1) 2018);
 - Animal Management (Amendment) Subordinate Local Law (No. 1) 2019 (formerly referred to as Animal Management (Amendment) Subordinate Local Law (No. 1) 2018);

- j) Community and Environmental Management (Amendment) Local Law (No. 1) 2019 (formerly referred to as Community and Environmental Management (Amendment) Local Law (No. 1) 2018);
- k) Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019 (formerly referred to as Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2018);
- Local Government Controlled Areas, Facilities and Roads (Amendment) Local Law (No. 1) 2019 (formerly referred to as Local Government Controlled Areas, Facilities and Roads (Amendment) Local Law (No. 1) 2018);
- m) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019 (formerly referred to as Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads(2018);
- n) Parking (Amendment) Local Law (No. 1) 2019 (formerly referred to as Parking (Amendment) Local Law (No. 1) 2018);
- o) Parking (Amendment) Subordinate Local Law (No. 1) Subordinate Local Law (No. 1) 2019 (formerly referred to as Parking (Amendment) Subordinate Local Law (No.1) 2018);
- p) Aerodromes (Amendment) Local Law (No. 1) 2019 (formerly referred to as Aerodromes (Amendment) Local Law (No. 1) 2018):
- q) Local Law (Repealing) Local Law (No. 1) 2019 (formerly referred to as Local Law (Repealing) Local Law (No. 1) 2018);
- r) Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019 (formerly referred to as Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2018).
- 2. Pursuant to section 257 of the *Local Government Act 2009* ("the Act"), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the *Local Government Regulation 2012* to decide
 - (a) how the public interest test of the local laws and subordinate local laws particularised in the schedule is to be conducted; and
 - (b) the matters with which the public interest test report in relation to the local laws and subordinate local laws particularised in the schedule must deal; and
 - (c) the consultation process for the public interest test and how the process is to be used in the public interest test.

Moved by: Councillor Smith
Seconded by: Councillor Rutherford

11.3 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2019

File No: 8148

Attachments: 1. Income Statement February 2019

2. Key Indicator Graphs February 2019

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer

Author: Alicia Cutler - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 28 February 2019.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 28 February 2019 be 'received'.

Moved by: Councillor Swadling Seconded by: Councillor Williams

11.4 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT FEBRUARY 2019

File No: 1392

Attachments: 1. CTS Monthly Report - February 2019

2. ES Monthly Report - February 2019

3. Finance Monthly Report - February 2019

4. SP Monthly Report - February 2019

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The monthly operations report for the Corporate Services Department as at 28 February 2019 is presented for Councillors information.

COUNCIL RESOLUTION

THAT the Corporate Services Departmental Operations Report as at 28 February 2019 be "received".

Moved by: Mayor Strelow

Seconded by: Councillor Wickerson

11.5 OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT FEBRUARY 2019

File No: 1830

Attachments: 1. Office of the CEO and Office of the Mayor

Monthly Report - February 2019

2. Workforce and Governance Monthly Report -

February 2019

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Tracy Sweeney - Manager Workforce and Governance

SUMMARY

The monthly operations report for the Office of the CEO Department as at 28 February 2019 is presented for Councillors information.

COUNCIL RESOLUTION

THAT the Office of the CEO Departmental Operations Report as at 28 February 2019 be "received".

Moved by: Mayor Strelow Seconded by: Councillor Fisher

11.6 NOTICE OF GENERAL MEETING - LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND INC - 2 APRIL 2019

File No: 4932

Attachments: 1. Letter from LGAQ

Notice of General Meeting
 Background to Motions

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

SUMMARY

Local Government Association of Queensland Inc. have called a General Meeting in Brisbane on Tuesday 2 April 2019.

Suspension of Standing Orders

COUNCIL RESOLUTION

9-32AM

That pursuant to 7.10 Council Meeting Procedures the provisions of the Rockhampton Regional Council Meeting Procedures be suspended to allow adequate time for informal discussion on Item 11.6 – Notice of General Meeting – Local Government Association of Queensland Inc – 2 April 2019 prior to entering into formal debate.

Moved by: Councillor Smith Seconded by: Councillor Fisher

MOTION CARRIED

Resumption of Standing Orders

COUNCIL RESOLUTION

9:39AM

That pursuant to 7.10 Council Meeting Procedures the provisions of the Rockhampton Regional Council Meeting Procedures be resumed.

Moved by: Councillor Smith Seconded by: Councillor Fisher

MOTION CARRIED

COUNCIL RESOLUTION

THAT Councillor Williams and Councillor Wickerson be authorised to attend the LGAQ General Meeting to be held in Brisbane on 2 April 2019 with voting rights on behalf of Rockhampton Regional Council, and to vote in accordance with the LGAQ response to legislative changes outlined in the Notice of General Meeting, excluding Motion 4 and Motion 8.

Moved by: Councillor Fisher
Seconded by: Councillor Swadling

12 NOTICES OF MOTION

13 QUESTIONS ON NOTICE

14 URGENT BUSINESS\QUESTIONS

15 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation* 2012, for the reasons indicated.

16.1 Tender Consideration Plan - Learning Management System

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

Moved by: Mayor Strelow Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation* 2012, for the reasons indicated.

16.2 Acquisition of Land

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Councillor Wickerson Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation* 2012, for the reasons indicated.

16.4 External Boundary & Electoral Arrangement Review - Rockhampton & Livingstone

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Councillor Swadling Seconded by: Councillor Smith

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation* 2012, for the reasons indicated.

16.5 Chief Executive Officer Monthly Report

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Councillor Williams
Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

9-44AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Wickerson Seconded by: Councillor Fisher

MOTION CARRIED

COUNCIL RESOLUTION

10:15AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

16 CONFIDENTIAL REPORTS

16.1 TENDER CONSIDERATION PLAN - LEARNING MANAGEMENT SYSTEM

File No: 12176

Attachments: 1. Learning Management System Business

Case Version 2.0

Authorising Officer: Tracy Sweeney - Manager Workforce and Governance

Author: Allysa Brennan - Coordinator Legal and Governance

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

SUMMARY

This report seeks approval of the Learning Management System Tender Consideration Plan.

COUNCIL RESOLUTION

THAT Council:

1. Receives this report; and

2. Approves the Beakon Tender Consideration Plan.

Moved by: Councillor Wickerson Seconded by: Councillor Swadling

16.2 ACQUISITION OF LAND

File No: 1466

Attachments: 1. Plan

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: Jason Plumb - Manager Fitzroy River Water

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Manager Fitzroy River Water presents an opportunity for Council to acquire land.

COUNCIL RESOLUTION

THAT Council authorises the Chief Executive Officer to proceed in the manner outlined in the report.

Moved by: Mayor Strelow
Seconded by: Councillor Smith
MOTION CARRIED UNANIMOUSLY

16.4 EXTERNAL BOUNDARY & ELECTORAL ARRANGEMENT REVIEW - ROCKHAMPTON & LIVINGSTONE

File No: 5827

Attachments: 1. Letter from Local Government Change

Commissioner

2. Letter of Referral from Minister to Change

Commission

3. Terms of Reference

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Chief Executive Officer will provide an update following receipt of correspondence from the Local Government Change Commission seeking a response to the Terms of Reference relating to the proposed transfer of the suburbs of Glenlee, Glendale and Rockyview from Livingstone Shire Council to Rockhampton Regional Council.

COUNCIL RESOLUTION

THAT the report be received and the Mayor and Chief Executive Officer be authorised to proceed as detailed in the report.

Moved by: Mayor Strelow

Seconded by: Councillor Swadling

MOTION CARRIED

DIVISION:

Councillors N Fisher, C Rutherford, E Smith, M Strelow, R Swadling and D Wickerson voted in the affirmative.

Councillor T Williams voted in the negative.

16.5 CHIEF EXECUTIVE OFFICER MONTHLY REPORT

File No: 1830 Attachments: Nil

Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Chief Executive Officer presenting monthly report for the period ending 11 March 2019.

COUNCIL RESOLUTION

THAT the monthly report from the Chief Executive Officer for the period ending 11 March 2019 be received.

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

10:16AM

Councillor Wickerson left the meeting having earlier declared a personal interest in Item 16.3 – Property Acquisition Matter.

15 CLOSED SESSION

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation* 2012, for the reasons indicated.

16.3 Property Acquisition Matter

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Councillor Swadling Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

10:16AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Swadling Seconded by: Councillor Rutherford

MOTION CARRIED

COUNCIL RESOLUTION

10:26AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Fisher Seconded by: Councillor Williams

16 CONFIDENTIAL REPORTS

16.3 PROPERTY ACQUISITION MATTER

File No: 2021

Attachments: 1. Map and photographs

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Ross Cheesman - Deputy Chief Executive Officer

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

This report considers a property acquisition matter.

COUNCIL RESOLUTION

THAT Council seek to negotiate the property up to the figure that was determined in closed session.

Moved by: Mayor Strelow

Seconded by: Councillor Rutherford

MOTION CARRIED

10:26AM Councillor Wickerson returned to the meeting

10:27AM Councillor Swadling left the meeting and did not return

15 CLOSED SESSION

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation* 2012, for the reasons indicated.

16.6 South Rockhampton Flood Levee Project

This report is considered confidential in accordance with section 275(1)(c) (h), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Mayor Strelow

Seconded by: Councillor Wickerson

MOTION CARRIED

COUNCIL RESOLUTION

10.27AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Williams Seconded by: Councillor Smith

MOTION CARRIED

10:28AM Mayor Strelow declared a 15 minute recess

10:41AM Mayor Strelow declared that the meeting be resumed

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)

Councillor C E Smith

Councillor C R Rutherford

Councillor M D Wickerson

Councillor A P Williams

Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer

Mr R Cheesman – Deputy Chief Executive Officer

Mr P Kofod - General Manager Regional Services

Mr T Cullen – General Manager Advance Rockhampton

Ms C Worthy – General Manager Community Services

Ms A Cutler - Chief Financial Officer

Mr A Collins - Manager Project Delivery

Mr D Morrison – Executive Coordinator to the Mayor

Mr M Mansfield - Coordinator Media and Communications

Ms E Brodel - Media Officer

Ms L Leeder – Senior Committee Support Officer

COUNCIL RESOLUTION

11:32AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Wickerson Seconded by: Councillor Rutherford

16 CONFIDENTIAL REPORTS

16.6 SOUTH ROCKHAMPTON FLOOD LEVEE PROJECT

File No: PD-PRO-2018-002

Attachments: Nil

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: Andrew Collins - Manager Project Delivery

This report is considered confidential in accordance with section 275(1)(c) (h), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

The report provides Council with the latest status on the South Rockhampton Flood Levee (SRFL) Project.

COUNCIL RESOLUTION

THAT Council accepts the Federal Government's grant offer of \$25 million under its Regional Growth Fund.

Moved by: Mayor Strelow

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

11:33AM Councillor Rutherford left the meeting

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11:34am.

SIGNATURE

CHAIRPERSON

DATE