



## **Ordinary Meeting of Council**

# **Minutes**

**Thursday 5 December 2019, 6:00pm  
City of Stirling  
25 Cedric Street, Stirling**

Constituent Members: Cities of Perth, Joondalup, Stirling, Vincent and Wanneroo  
Towns of Cambridge and Victoria Park

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## MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis (DEPUTY CHAIR)	Cr Gary Mack
City of Joondalup	Cr John Chester Cr Phillipa Taylor	Cr Christopher May Cr Suzanne Thompson
City of Perth	Cmr Andrew Hammond	Cmr Gaye McMath
City of Stirling	Cr Karen Caddy (CHAIR) Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri	Cr Karlo Perkov
Town of Victoria Park	Cr Claire Anderson	
City of Vincent	Mayor Emma Cole	Cr Joanne Fotakis
City of Wanneroo	Cr Brett Treby Cr Domenic Zappa	Cr Natalie Sangalli Cr Vinh Nguyen

**PRESENT**

<b>Chair</b>	Cr Karen Caddy
<b>Councillors</b>	Cr Claire Anderson Cr John Chester Mayor Emma Cole Cmr Andrew Hammond Cr David Lagan (arrived 6:11pm) Cr Suzanne Migdale Cr Bianca Sandri Cr Philippa Taylor Cr Andres Timmermanis (arrived 6:14pm) Cr Brett Treby Cr Domenic Zappa
<b>Alternate Members</b>	Nil
<b>Staff</b>	Mr Tony Arias (Chief Executive Officer) Mr Simon O'Sullivan (Manager Project Coordination) Ms Vickie Wesolowski (Executive Assistant)
<b>Apologies Councillors</b>	Nil
<b>Leave of Absence</b>	Nil
<b>Absent</b>	Nil
<b>Consultants</b>	Mr Brenton Downing (Satterley Property Group) Mr Carl Buckley (Satterley Property Group) Ms Lauren Vidler (Satterley Property Group)
<b>Apologies Participant Councils' Advisers</b>	Mr David MacLennan (City of Vincent) Mr Stuart Jardine (City of Stirling) Mr John Giorgi (Town of Cambridge) Mr Anthony Vuleta (Town of Victoria Park) Mr Murray Jorgensen (City of Perth) Mr Daniel Simms (City of Wanneroo)
<b>In Attendance Participant Councils' Advisers</b>	Mr Mark Dickson (City of Wanneroo) Mr Garry Hunt (City of Joondalup) Mr Fraser Henderson (City of Stirling) Mr Ben Killigrew (Town of Victoria Park)
<b>Members of the Public</b>	Nil
<b>Press</b>	Nil

**1. OFFICIAL OPENING**

The Chair declared the meeting open at 6:05pm.

**DISCLOSURE OF INTERESTS**

Nil

**2. PUBLIC STATEMENT/QUESTION TIME**

Nil

**3. APOLOGIES AND LEAVE OF ABSENCE**

Apologies – Nil

Cr Sandri - Leave of Absence 18 January 2020 to 30 January 2020.

**4. PETITIONS**

Nil

**5. CONFIRMATION OF MINUTES**

*Ordinary Meeting of Council – 7 November 2019*

Moved Cr Chester, Seconded Cr Migdale.

**That the minutes of the Ordinary Meeting of Council of 7 November 2019 be confirmed, and signed by the Chair, as a true and correct record of proceedings.**

The Motion was put and declared CARRIED (10/0).

**5A BUSINESS ARISING FROM MINUTES**

Nil

**6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)**

Nil

**7. MATTERS FOR WHICH MEETING MAY BE CLOSED**

9.14 *Project Budget FYE 2020 – Mid-Year Review - Confidential*

9.15 *Review of Project Milestones FYE 2020 - Confidential*

9.16 *Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Results Update - Confidential*

## 8. REPORTS OF COMMITTEES

Management Committee Meeting – 21 November 2019

*Cr Timmermanis, Chair, Management Committee advised that the Committee considered a number of Items listed in this Agenda and had a presentation on Item 9.13 - Catalina Beach Phase 2 Concept Plan. He advised that there was an Alternative Motion to be proposed to ensure planning for the Portofino Promenade and the Catalina Beach Access Road were not unduly delayed.*

### 9.1 BUSINESS REPORT – PERIOD ENDING 28 NOVEMBER 2019

Moved Cr Treby, Seconded Cr Migdale.

[The recommendation in the agenda]

**That the Council RECEIVES the Business Report to 28 November 2019.**

Cr Lagan arrived during discussion on this Item (6:11pm).

The Motion was put and declared CARRIED (11/0).

### 9.2 STATEMENTS OF FINANCIAL ACTIVITY FOR THE MONTHS OF SEPTEMBER & OCTOBER 2019

Moved Cr Sandri, Seconded Cr Anderson.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the Statements of Financial Activity for the months ending:**

- **30 September 2019; and**
- **31 October 2019.**

Cr Timmermanis arrived during discussion on this Item (6:14pm).

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

### 9.3 LIST OF MONTHLY ACCOUNTS SUBMITTED FOR THE MONTHS OF SEPTEMBER & OCTOBER 2019

Moved Cr Sandri, Seconded Cr Chester.

[The recommendation in the agenda]

**That the Council RECEIVES and NOTES the list of accounts paid under Delegated Authority to the CEO for the months of September and October 2019:**

- **Month ending 30 September 2019 (Total \$314,209.50)**
- **Month ending 31 October 2019 (Total \$222,660.77)**
- **Total Paid - \$536,870.27**

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

#### **9.4 PROJECT FINANCIAL REPORT – OCTOBER 2019**

Moved Cr Sandri, Seconded Cr Cole.

[The recommendation in the agenda]

**That the Council RECEIVES the Project Financial Report (October 2019) submitted by the Satterley Property Group.**

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

#### **9.5 SALES AND SETTLEMENT REPORT – PERIOD ENDING 28 NOVEMBER 2019**

Moved Cr Sandri, Seconded Cr Chester.

[The recommendation in the agenda]

**That the Council RECEIVES the Sales and Settlement Report to 28 November 2019.**

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

#### **9.6 REVIEW OF PURCHASER TERMS AND CONDITIONS**

Moved Cr Sandri, Seconded Cr Lagan.

[The recommendation in the agenda]

That the Council:

1. APPROVES the following Purchaser Terms/Conditions and Incentives for all public and builder release lots for the period December 2019 to December 2020:
  - 1.1 Use of the REIWA Offer and Acceptance Contract with Special Conditions and Annexure.
  - 1.2 A \$2,000 deposit to be used in the Sales Contracts for Catalina Central and a \$5,000 deposit to be used in the Sales Contracts for Catalina Beach.
  - 1.3 A finance approval period of 60 days for Catalina Central and 45 days for Catalina Beach, where finance is required.
  - 1.4 A 21-day settlement period from finance approval or the issue of titles, whichever is the later.
  - 1.5 A post occupancy Home Energy Assessment for all new homes (up to 31 August 2020, after which time its continuation will be considered following the conclusion of the 12-month trial of this initiative).
  - 1.6 A waterwise landscaping package to the front garden.
  - 1.7 A \$2,000 rebate for all homes constructed with a minimum 1.5kW capacity photovoltaic solar power system.

- 1.8 Side and rear boundary fencing (behind the building line).
  - 1.9 A \$1,000 rebate for all homes in Catalina Central and Beach Precincts which include appropriate WELS rated fittings and fixtures.
  - 1.10 Sales incentives (Items 1.6 – 1.9) subject to homes being constructed in accordance with the approved Catalina Design Guidelines within 18 months of settlement for single storey homes and 24 months of settlement for two storey homes.
2. REQUESTS the Satterley Property Group to review the Purchaser Terms/Conditions and Incentives for public release and builder release lots and provide a report to the Council for consideration in December 2020.

The Motion as amended was as follows:

**That the Council:**

1. **APPROVES the following Purchaser Terms/Conditions and Incentives for all public and builder release lots for the period December 2019 to December 2020:**
  - 1.1 **Use of the REIWA Offer and Acceptance Contract with Special Conditions and Annexure.**
  - 1.2 **A \$2,000 deposit to be used in the Sales Contracts for Catalina Central and a \$5,000 deposit to be used in the Sales Contracts for Catalina Beach.**
  - 1.3 **A finance approval period of 60 days for Catalina Central and 45 days for Catalina Beach, where finance is required.**
  - 1.4 **A 21-day settlement period from finance approval or the issue of titles, whichever is the later.**
  - 1.5 **A post occupancy Home Energy Assessment for all new homes (up to 31 August 2020, after which time its continuation will be considered following the conclusion of the 12-month trial of this initiative).**
  - 1.6 **A waterwise landscaping package to the front garden, as per the package values approved by Council in the Front Landscaping Tender 02/2019 LD Total Proposal (dated February 2019).**
  - 1.7 **A \$2,000 rebate for all homes constructed with a minimum 1.5kW capacity photovoltaic solar power system.**
  - 1.8 **Side and rear boundary fencing (behind the building line).**
  - 1.9 **A \$1,000 rebate for all homes in Catalina Central and Beach Precincts which include appropriate WELS rated fittings and fixtures.**
  - 1.10 **Sales incentives (Items 1.6 – 1.9) subject to homes being constructed in accordance with the approved Catalina Design Guidelines within 18 months of settlement for single storey homes and 24 months of settlement for two storey homes.**
2. **REQUESTS the Satterley Property Group to review the Purchaser Terms/Conditions and Incentives for public release and builder release lots and provide an interim report to the Council in June 2020 and a final report for consideration in December 2020.**

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



## 9.7 SALES - MARKETING CAMPAIGN, FEBRUARY – MARCH 2020

Moved Cr Chester, Seconded Cr Lagan.

[The recommendation in the agenda]

That the Council:

1. RECEIVES the Satterley Property Group correspondence (dated 8 November 2019) proposing an extension from 31 January 2020 until 31 March 2020 of the current Sales and Marketing Campaign involving the offer of a \$10,000 rebate to purchasers who install a solar panel and battery storage system.
2. APPROVES the extension of the current Sales and Marketing Campaign due to conclude on 31 January 2020 until 31 March 2020, subject to the same conditions of Council's approval granted on 17 October 2019.
3. APPROVES the use of a \$2,000 referral fee to the Builder's Sales Representative for providing a qualified sales lead that results in the settlement of a lot at Catalina and that this fee be paid directly by the TPRC for the period 1 February 2020 to 31 March 2020.

The Motion as amended was as follows:

**That the Council:**

1. **RECEIVES the Satterley Property Group correspondence (dated 8 November 2019) proposing an extension from 31 January 2020 until 31 March 2020 of the current Sales and Marketing Campaign involving the offer of a \$10,000 rebate to purchasers who install a solar panel and battery storage system.**
2. **APPROVES the extension of the current Sales and Marketing Campaign due to conclude on 31 January 2020 until 31 March 2020, subject to the same conditions of Council's approval granted on 17 October 2019.**
3. **APPROVES the use of a \$2,000 referral fee to the Builder's Sales Representative for providing a qualified sales lead that results in the settlement of a lot at Catalina and that this fee be paid directly by the TPRC for the period 1 February 2020 to 31 March 2020.**
4. **REQUESTS the Satterley Property Group to provide an interim report to Council in February 2020 with details on the outcomes of the campaign to date including the achievement of the marketing KPI's, costs of the campaign (costs per lead) and resultant lot sales.**

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

## 9.8 MANAGEMENT COMMITTEE – TERMS OF REFERENCE/DELEGATIONS

[The recommendation in the agenda]

That the Council APPROVES the Terms of Reference and Delegations to the Management Committee (November 2019).

Moved Cr Cole, Seconded Cmr Hammond.

[An Alternative Motion]

**That the Council:**

- 1. NOTES the annual review of the Terms of Reference and Delegations to the Management Committee.**
- 2. REQUESTS a redrafting of the Terms of Reference and Delegations for consideration at the February Council meeting to clarify the following:**
  - (a) Objectives, roles and responsibilities of the Management Committee;**
  - (b) Membership, appointment of Chair and quorum;**
  - (c) List of delegations and any conditions;**
  - (d) Regular reporting of Management Committee Minutes to Council, including a list of any items dealt with under delegated authority.**

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

#### **9.9 ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2019**

Moved Cr Treby, Seconded Cr Migdale.

[The recommendation in the agenda]

**That the Council ADOPTS the Annual Report of the Tamala Park Regional Council for the FYE 2019.**

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

#### **9.10 DELEGATION AUTHORITY 2019**

Moved Cr Lagan, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council APPROVES the Delegation Register 2019 (December 2019).

The Motion as amended was as follows:

**That the Council:**

- 1. APPROVES the Delegation Register 2019 (December 2019).**
- 2. That the Tamala Park Regional Council website be updated to include the Delegation Register 2019 (December 2019).**

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

### **9.11 UDIA 2020 NATIONAL CONGRESS**

[The recommendation in the agenda]

That the Council AUTHORISES Cr \_\_\_\_\_ to attend the 2020 Urban Development Institute of Australia National Congress in Sydney to be held on 17-19 March 2020.

Moved Cr Chester, Seconded Cr Hammond.

[An Alternative Motion]

**That the Council AUTHORISES Cr Caddy to attend the 2020 Urban Development Institute of Australia National Congress in Sydney to be held on 17-19 March 2020.**

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

For: Cr Anderson, Cr Caddy, Cr Chester, Cr Cole, Cr Hammond, Cr Lagan, Cr Migdale, Cr Sandri, Cr Taylor, Cr Treby and Cr Zappa.

Against: Cr Timmermanis.

### **9.12 ELECTED MEMBER ALLOWANCES**

Moved Cr Sandri, Seconded Cr Treby.

[The recommendation in the agenda]

**That the Council APPROVES:**

- 1. An Annual Allowance for the Chair of the Council to be \$20,063 per annum.**
- 2. An Annual Attendance fee for the Chair of the Council to be \$15,839 per annum.**
- 3. An Annual Allowance for the Deputy Chair of the Council to be 25% of the amount paid to the Chair per annum.**
- 4. An Attendance fee for Council members to be an amount of \$10,560 per annum.**
- 5. Council members not being entitled to claim separate telecommunications, IT allowances or travelling allowance to meetings.**
- 6. Elected member allowances being made quarterly in arrears.**

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

### **9.13 CATALINA BEACH PHASE 2 CONCEPT PLAN**

[The recommendation in the agenda]

That the Council DEFERS consideration of the Catalina Beach Phase 2 Concept Plan (November 2019) to the Council Meeting of 20 February 2020 and the matter be further considered as part of a Catalina Project inspection and workshop planned in early February 2020.

Moved Cr Lagan, Seconded Cr Timmermanis.

[An Alternative Motion]

**That the Council:**

1. **DEFERS** consideration of the Catalina Beach Phase 2 Concept Plan (November 2019) to the Council Meeting of 20 February 2020 and the matter be further considered as part of a Catalina Project inspection and workshop planned in early February 2020.
2. **SUPPORTS** the alignment of the proposed extension of Portofino Promenade and its connection with the planned foreshore access road as shown in the Catalina Beach Phase 2 Concept Plan (November 2019).
3. **REQUESTS** that the Satterley Property Group undertake a comprehensive feasibility assessment following further input by the Project and other specialist consultants, including:
  - (i) **Market analysis** of the proposed lot sizes and configuration, particularly those within the higher density coded areas;
  - (ii) **Review of development costs.**
4. **ACKNOWLEDGES** the impact of the Deferral on the Development Manager's KPI milestones and that this will be taken into account in consideration of the relevant milestone(s) achieved.

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

Moved Cr Lagan, Seconded Cr Treby.

**That Standing Orders be suspended to allow Confidential Items 9.14, 9.15 and 9.16 to be discussed behind closed doors.**

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

For: Cr Anderson, Cr Caddy, Cr Chester, Cr Cole, Cmr Hammond, Cr Lagan, Cr Migdale, Cr Sandri, Cr Taylor, Cr Treby and Cr Zappa.

Against: Cr Timmermanis.

#### **9.14 PROJECT BUDGET FYE 2020 – MID-YEAR REVIEW - CONFIDENTIAL**

Moved Cr Timmermanis, Seconded Cr Migdale.

[The recommendation in the agenda]

**That Council:**

1. **RECEIVES** the FYE 2020 Mid-Year Budget Review, submitted by the Satterley Property Group, (December 2019).

2. **APPROVES** the Satterley Property Group lot price reductions proposed in the FYE 2020 Mid-Year Budget Review (December 2019), based on 1.8% reduction of the estimated lot sale price.
3. **ACCEPTS** that the Satterley Property Group has achieved Key Performance Indicator - Financial Management 4.5 *Monitor the performance against the Approved Project Budget* requiring the completion of a six-monthly review of the approved Project Budget.

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

#### **9.15 REVIEW OF PROJECT MILESTONES FYE 2020 - CONFIDENTIAL**

Moved Cr Migdale, Seconded Cr Treby.

[The recommendation in the agenda]

**That Council:**

1. **RECEIVES** the Satterley Property Group report on Project Milestones (November 2019).
2. **ADVISES** the Satterley Property Group that Key Performance Indicator 2.10 requires that the Development Manager completes two Milestone Reviews in each financial year to meet the KPI. The Council will reassess Key Performance Indicator 2.10 when the second Milestone Review is satisfactorily completed.
3. **ADVISES** the Satterley Property Group that it notes that a number of the designated Milestones in the Annual Plan may not be met and that these need to be satisfactorily addressed so that they do not adversely affect the Project.

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

#### **9.16 MINDARIE REGIONAL COUNCIL LANDFILL BUFFER – GROUNDWATER MONITORING RESULTS UPDATE - CONFIDENTIAL**

Moved Cr Chester, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council **RECEIVES** the report (December 2019) on the Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Results.

The Motion as amended was as follows:

**That the Council:**

1. **RECEIVES** the report (December 2019) on the Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Results.
2. **REQUESTS** a briefing from the Mindarie Regional Council – CEO when the Contaminated Sites Auditor report has been completed.

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

Moved Cr Lagan, Seconded Cr Migdale.

**That the Meeting be REOPENED to the public.**

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

*The recommendations for Confidential Items 9.14, 9.15 and 9.16 were read out as follows:*

**9.14 PROJECT BUDGET FYE 2020 – MID-YEAR REVIEW - CONFIDENTIAL**

*That Council:*

1. *RECEIVES the FYE 2020 Mid-Year Budget Review, submitted by the Satterley Property Group, (December 2019).*
2. *APPROVES the Satterley Property Group lot price reductions proposed in the FYE 2020 Mid-Year Budget Review (December 2019), based on 1.8% reduction of the estimated lot sale price.*
3. *ACCEPTS that the Satterley Property Group has achieved Key Performance Indicator - Financial Management 4.5 Monitor the performance against the Approved Project Budget requiring the completion of a six-monthly review of the approved Project Budget.*

**9.15 REVIEW OF PROJECT MILESTONES FYE 2020 - CONFIDENTIAL**

*That Council:*

1. *RECEIVES the Satterley Property Group report on Project Milestones (November 2019).*
2. *ADVISES the Satterley Property Group that Key Performance Indicator 2.10 requires that the Development Manager completes two Milestone Reviews in each financial year to meet the KPI. The Council will reassess Key Performance Indicator 2.10 when the second Milestone Review is satisfactorily completed.*
3. *ADVISES the Satterley Property Group that it notes that a number of the designated Milestones in the Annual Plan may not be met and that these need to be satisfactorily addressed so that they do not adversely affect the Project.*

**9.16 MINDARIE REGIONAL COUNCIL LANDFILL BUFFER – GROUNDWATER MONITORING RESULTS UPDATE – CONFIDENTIAL**

*That the Council:*

1. *RECEIVES the report (December 2019) on the Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Results.*
2. *REQUESTS a briefing from the Mindarie Regional Council – CEO when the Contaminated Sites Auditor report has been completed.*

**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 CHAIR**

Nil

**13. MATTERS BEHIND CLOSED DOORS**

9.14 *Project Budget FYE 2020 – Mid-Year Review - Confidential*

9.15 *Review of Project Milestones FYE 2020 - Confidential*

9.16 *Mindarie Regional Council Landfill Buffer – Groundwater Monitoring Results Update - Confidential*

**14. GENERAL BUSINESS**

The Chair thanked Councillors, TPRC staff and Satterley representatives for their attendance and wished all a safe and happy Christmas.

**15. FORMAL CLOSURE OF MEETING**

The Chair declared the meeting closed at 7:47pm.

These minutes were confirmed at a meeting on .....

SIGNED this ..... day of ..... 2020

as a true record of proceedings.

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CHAIR