



LAUNCESTON CITY COUNCIL

A Leader in Community & Government

COUNCIL MINUTES

**COUNCIL MEETING
10 SEPTEMBER 2001**

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MONDAY 10 SEPTEMBER 2001

MEETING HELD AT: Town Hall, Launceston

MEETING COMMENCEMENT: 1.00 pm

Martin Reynolds (Corporate Secretary)

Present:

Alderman	J B Lees (Mayor)
	A C Peck
	G W Beams
	R L McKendrick
	H G Brookes
	I J N Routley
	M E Smart
	R W Shipp
	J Walters
	R J Sands
	J Dickenson

In Attendance:

Mr R G Campbell (General Manager)
Mr M Reynolds (Corporate Secretary)
Mr S Pound (Committee Clerk/Admin Officer)

Apologies:

Alderman	A L Waddle (Deputy Mayor)
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CHAIRMAN:

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1 OPENING OF MEETING

The Mayor opened the Meeting at 1.00 pm.

2 DECLARATION OF PECUNIARY INTERESTS

Nil

3 PUBLIC QUESTION TIME

3.1 Mr J Dickenson – Cimitiere Street Car Park

Mr Dickenson asked questions in relation to agenda Item 8.1 – Cimitiere Street Car Park.

“Is Launceston City Council concerned that they are breaching their own terms and conditions?”; and

“Are managers aware of the penalties under the Land Use Planning and Approvals Act?”

The General Manager answered that the Council was aware of the penalties under the Land Use Planning and Approvals Act and with regard to the first question, from time to time changes in Planning Permits are necessary and are granted.

3.2 Mr J Green – Cimitiere Street Car Park

Mr J Green asked a question in relation to Agenda Item 8.1 – Cimitiere Street Car Park.

“Why have there been no discussions between the parties involved?”

The Mayor replied that discussions did take place between the parties, and the matter is now with the Planning Appeals Tribunal.

3.3 Mr L Morell – Cimitiere Street Car Park

Mr L Morell asked questions in relation to Agenda Item 8.1 – Cimitiere Street Car Park.

“Have Aldermen been given a copy of the Deed Agreement?”

“Has the Launceston City Council entered into an agreement to provide the land for development?”

The General Manager replied that all information is available to Aldermen and that Launceston City Council has not entered into any agreements to develop the site.

4 DEPUTATION

Nil

5 CONFIRMATION OF MINUTES**RECOMMENDATION:**

1. That the Minutes of the meeting of the Launceston City Council held on 27 August 2001 be confirmed as a true and correct record.
2. That the Minutes of the meeting of the Launceston City Council held on 27 August 2001 in closed session be confirmed as a true and correct record.

DECISION: 10/09/01**RESOLUTION:**

Moved Alderman G W Beams, seconded Alderman R W Shipp.

That the Recommendation be adopted, subject to the amendment on Page 20 of the minutes that the last sentence reads "The Acting Mayor reconvened the meeting at 3.45 pm".

CARRIED

6 ANNOUNCEMENTS BY THE MAYOR

Nil

7 PETITIONS

A petition has been received from the Rocherlea Residents Action Project, regarding inadequate street and park lighting in the suburb of Rocherlea.

The petition has been signed by 37 people.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman G W Beams, seconded Alderman J Walters.

That the Petition be received.

CARRIED

DIVISIONAL MINUTES ITEMS**8 BUSINESSES AND OPERATIONS**

Mr R Fisher and Mr P Mickan were in attendance to answer questions of Council in respect of Agenda Items 8.1 – 8.2 inclusive.

Mr R Fisher was in attendance to answer questions of Council in respect of Agenda Items 8.3 inclusive.

8.1 DA0028/2001 - Cimitiere Street Car Park - Request To Amend Permit

FILE NO: DA0028/2001

AUTHOR: Paul Mickan (Manager Approvals)

DECISION STATEMENT:

To determine a request to amend a permit.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

1. That Council approve the request to amend permit No. DA0028/2001 by substituting the plan showing details of the fence structure located towards the Cameron Street frontage.
2. That Council not approve the request to reduce the extent of landscaping imposed on the development.

DECISION: 10/09/01

RESOLUTION: (1):

Moved Alderman H G Brookes, seconded Alderman G W Beams.

That point 1 of the Recommendation be adopted.

CARRIED ON A SHOW OF HANDS 7:4

DECISION: 10/09/01

RESOLUTION: (2):

Moved Alderman H G Brookes, seconded Alderman G W Beams.

That point 2 of the Recommendation be adopted.

CARRIED

8.2 313 St Leonards Road And 47 Benvenue Road - 3 Lot Subdivision

FILE NO: DA0320/2001

AUTHOR: Mark Westaway (Senior Development Planner)

DECISION STATEMENT:

To consider an application to subdivide 2 lots into 3 lots.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That application DA0320/2001 to Subdivide into 3 lots at 313 St Leonards Road & 47 Benvenue Road be approved subject to the following conditions:

1. AMENDED PLANS REQUIRED

Before the use and or development commences, the areas coloured red in the endorsed plans shall be amended to show the following requirements:

- a) 3.6 metre wide right-of-ways for access shall be provided for 45 & 49 Benvenue Road across 47 Benvenue Road, to provide access to Benvenue Road from the existing driveways of the adjoining property.

The amended plans must be drawn to scale with dimensions and four copies must be provided. When approved by the Approvals Manager the plans will be endorsed and will then form part of the permit and shall supersede the original endorsed plans.

2. CONSTRUCTION OF WORKS

The applicant is to construct works in accordance with detailed construction plans of all proposed works prepared by suitably qualified persons and complying with current Council standards and approved by the Infrastructure Assets Manager prior to any works commencing. A fee of 0.35% of the value of the public works is payable for the approval of engineering plans in accordance with Council's fee structure adopted pursuant to Section 205 of the Local Government Act 1993.

Such plans and specifications are to include the necessary dimensions for road construction, pavement design where relevant, calculations of flow rates in drains, the pipe sizes for drains and the materials used in construction.

8.2 313 St Leonards Road And 47 Benvenue Road - 3 Lot Subdivision...(Cont'd)

The works are to include:

a). Water Supply

- (i) A watermain extension over the length of the proposed frontages in Church Street, including all necessary stop valves and ball type fire plug at the high point of the line;
- (ii) The provision of a copper water connection with a stop tap and meter box at the boundary of each lot of sufficient capacity to supply each lot with a minimum flow rate of 0.48 litres per second. The minimum nominal diameter of connection shall be 20mm.

b). Stormwater

All necessary stormwater drains and pits to:

- (i) Provide a DN 150 minimum connection to the lowest point of each lot;
- (ii) Intercept overland flows from the land and convey them to an approved point of discharge;
- (iii) Drain all roadways, footpaths and nature strips within the road reserve adjacent the frontages.

c). Sewer

Construct all necessary sewer gravity mains to provide a DN 100 sewerage connection for each lot located so as to enable any future dwelling to be drained.

d). Road Extension

The privately maintained Church St is to be constructed with the following features:

- (i) A minimum sealed pavement width of 5.0m with gravel 600mm wide shoulders on both sides, guide posts and tabledrains;
- (ii) Reconstruction of the existing intersection with St Leonards Road to remove the concrete crossover and provide a suitable sealed transition from the existing pavement;
- (iii) Provision of a compacted gravel turning area at the end of the new road formation sized to accommodate a service vehicle in line with AS2890.2;

e) Constructed Driveways

All lots are to be provided with a constructed concrete driveway from the edge of road pavement to the property boundary.

8.2 313 St Leonards Road And 47 Benvenue Road - 3 Lot Subdivision...(Cont'd)

3. COMPLETION OF WORKS

All works are to be carried out to Council standards and to the satisfaction of Council's Infrastructure Assets Manager and under the direct supervision of a civil engineer engaged by the applicant and approved by the Council. Certification that all works have been carried out in accordance with the approved engineering design plans and to Council standards will be required prior to issue of the Certificate of Practical Completion. Council charges a fee for the inspection of public works in accordance with Council's fee structure adopted pursuant to Section 205 of the Local Government Act 1993. This fee is set at 0.50% of the value of the public works for a final inspection only and an hourly rate for reinspections. A minimum fee of \$50 is charged for minor works. Where an engineer has not been appointed by the applicant, Council's supervision fee is set at 3.0% of the value of the works.

4. CONSTRUCTION PLANS

An "as constructed" plan on transparent polyester film shall be provided in accordance with Council's standard requirements for as constructed drawings. A separate copy of the requirements is available from the Infrastructure Assets Division.

5. EASEMENTS

Easements are required over all services located in private property.

6. UNDERGROUND ELECTRICITY

The subdivider to meet all costs involved in providing underground electricity for the subdivision and to install poles for street lighting in accordance with Aurora requirements.

7. FINAL PLAN OF SURVEY

The final plan of survey will not be sealed until all conditions have been complied with.

Notes

Objections to Proposal

- A. *This permit has no effect until the expiry of the period for the lodgement of an appeal against the granting of the permit or, if an appeal is lodged, until ten days after the appeal has been determined by the Resource Management and Planning Appeal Tribunal.*

**8.2 313 St Leonards Road And 47 Benvenue Road - 3 Lot
Subdivision...(Cont'd)**

B. This permit lapses after a period of two years from the date of granting of this permit if the use or development has not substantially commenced within that period.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman M E Smart, seconded Alderman I J N Routley.

That this Item be deferred to the next Council meeting to allow time for further negotiation between the parties.

CARRIED

8.3 Remuneration Of The City Organist

FILE NO: SF0367

AUTHOR: Rod Fisher (Manager Businesses and Operations)

DECISION STATEMENT:

To review the position of City organist as follows:

- To determine whether Council wishes to continue with the appointment of a City Organist
- To determine the method and nature of appointment of a City Organist
- To consider the level of remuneration for a City Organist
- To consider how funds for the associated costs should be provided

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 19 July, 1999 – Agenda Item: 23 in closed session
Council Meeting 18 November 1996.

RECOMMENDATION:

That this item be dealt with initially in Closed Council as it concerns the financial position of a person.

This Item was dealt with in Closed Council.

9 TOTAL WORKFORCE
Nil

10 STRATEGIC DEVELOPMENT

Mr A Smith and Mr D Leung were in attendance was in attendance to answer questions of Council in respect of Agenda Item 10.1 inclusive.

Mr A Smith and Ms K Shilton were in attendance to answer questions of Council in respect of Agenda Items 10.2 inclusive.

10.1 1056 Windermere Road, Swan Bay - Amendment 61 (formerly 1118 Windermere Road)

FILE NO: SF3141

AUTHOR: David Leung (Policy/Projects Planner)

DECISION STATEMENT:

To review the representations received and Draft Amendment 61, and to make a final recommendation to the Resource Planning and Development Commission.

BACKGROUND INFORMATION:

The Council initiated Amendment 61 at its meeting on 21 May 2001. Draft Amendment 061 has since been placed on public exhibition and the matter is now due for a final recommendation to the Resource Planning and Development Commission.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting of 21 May 2001, Agenda Item 10.1, pp. 112-165.

RECOMMENDATION:

1. The Council, in accordance with section 39(2) of the *Land Use Planning and Approvals Act 1993*, forward this report to the Resource Planning and Development Commission.
2. The Council, in accordance with section (6)(3) of the *Land Use Planning and Approvals Act 1993*, delegate to the Manager of Strategic Development its functions under sections 38, 39(2), 41A(2) and 42(3)(d) so as to enable him to:

10.1 1056 Windermere Road, Swan Bay - Amendment 61 (formerly 1118 Windermere Road)...(Cont'd)

- (a) vary the section 39(2) report as required;
- (b) modify, or alter to a substantial degree, and re-advertise Draft Amendment 61 in accordance with the directions of the Resource Planning and Development Commission; and
- (c) give notice of any approval by the Resource Planning and Development Commission.

The Manager of Strategic Development shall report to the Council any material change to Draft Amendment 61 that has been applied pursuant to the delegation granted above.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman G W Beams, seconded Alderman R W Shipp.

That the Recommendation be adopted.

CARRIED

10.2 City Park Monkeys - New Monkey Enclosure

FILE NO: SF0832

AUTHOR: Kym Shilton (Project Manager)

DECISION STATEMENT:

To determine if Council should proceed with the New Monkey Enclosure in light of higher project costs than budgeted for.

RECOMMENDATION:

That this item be dealt with in Closed Council as it concerns contracts for the supply and purchase of goods and services.

This Item was dealt with in Closed Council.

11 INFRASTRUCTURE ASSETS

Mr G Brayford was in attendance to answer questions of Council in respect of Agenda Items 11.1 inclusive.

11.1 Notice of Motion - Tamar Rowing Club

FILE NO: SF0486

AUTHOR: Martin Reynolds (Corporate Secretary)

DECISION STATEMENT:

To consider a notice of motion from Alderman I. Routley requesting a review of the decision regarding Council assistance with building of flood protection for the Tamar Rowing Club.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting 13/08/2001 – Grant Request from Tamar Rowing Club – Item 13.7

RECOMMENDATION:

That Council ask the Manager Infrastructure Assets to review the request from the Tamar Rowing Club to assist with the building of a flood levee protection with a report to the next Council Meeting.

DECISION: 10/09/01

As a report reviewing the decision regarding flood protection for the Tamar Rowing Club had been provided to Council at this meeting, Alderman Routley modified the motion as shown below.

RESOLUTION: (1):

Moved Alderman I J N Routley, seconded Alderman A C Peck.

That representatives of the Tamar Rowing Club be invited to a meeting of the Strategic Planning and Policy Committee.

CARRIED

12 CORPORATE SERVICES

Mr S Collins was in attendance to answer questions of Council in respect of Agenda Items 12.1 – 12.3 inclusive.

12.1 Municipal Revaluation Tender

FILE NO: SF0527

AUTHOR: Stephen Collins (Manager Rates)

DECISION STATEMENT:

To determine the date of the next revaluation of the City and authorise the commencement of the tendering process.

PREVIOUS COUNCIL CONSIDERATION:

Nil.

RECOMMENDATION:

That Council authorise the calling of tenders to undertake completion of the City's 2003 revaluation.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman H G Brookes, seconded Alderman I J N Routley.

That the Recommendation be adopted.

CARRIED

12.2 Pensioner Rate Remission

FILE NO: SF0524

AUTHOR: Michael Tidey (Manager Corporate Services)

DECISION STATEMENT:

To consider a request from the Burnie City that we support a request to increase the maximum amount of the State Government Pensioner Remission.

PREVIOUS COUNCIL CONSIDERATION:

Nil.

RECOMMENDATION:

1. That Council leave the determination of the maximum amount of the State Government Pensioner Remission to the State Government.
2. That Council advise the State Government that there would be administrative efficiencies, particularly in regard to the application of the pensioner remission to water consumption charges, from an increase in the percentage remission from 30 per cent.

DECISION: 10/09/01

RESOLUTION: (1):

Moved Alderman R W Shipp, seconded Alderman I J N Routley.

That Council advise the State Government that it supports the request made by the Burnie City Council to lift the maximum remission rate to \$400 and that the increase be met by the State Government.

This Motion was withdrawn

RESOLUTION: (2):

Moved Alderman R W Shipp, seconded Alderman I J N Routley.

That this Item be deferred to the next Council meeting to clarify wording of the resolution.

CARRIED

12.3 Notice of Motion - Deputation Policy**FILE NO:** SF0997**AUTHOR:** Martin Reynolds (for Alderman Dickenson)

DECISION STATEMENT:

To consider a notice of motion from Alderman Dickenson to amend the Deputation to Council Policy.

PREVIOUS COUNCIL CONSIDERATION:

Minute Number 14.1 of 27/08/2001 – Notice of Motion
Minute Number 12.1 of 30/07/2001 – Adoption of the policy.

RECOMMENDATION:

That Council request the Corporate Secretary prepare an amendment of the Deputation to Council Policy for consideration at Strategic Planning and Policy Committee that will allow statements as well as questions directly related to the subject of the deputation to occur.

DECISION: 10/09/01**RESOLUTION:**

Moved Alderman J Dickenson, seconded Alderman J Walters.

That the Alternative Resolution listed in the Agenda, and shown below, be adopted.

“That Council amend the policy – Deputations to Council (Number 07/2001) by deletion of the second sentence in point IV, Operating Rules, and substitution of a new sentence to read;

“Presentation to be of 10 – 15 minutes duration with a further 10 – 15 minutes for questions or comments and close.””

LOST ON A SHOW OF HANDS 4:7

12.4 Margaret Street 107, 109 and 111 - Proposed Sale

FILE NO: 14683, 14684, 27526

AUTHOR: Michael Tidey (Manager Corporate Services)

DECISION STATEMENT:

To approve the sale of the properties located at 107, 109 and 111 Margaret Street and to set the price.

PREVIOUS COUNCIL CONSIDERATION:

Nil.

RECOMMENDATION:

That this item be dealt with in Closed Council as it concerns proposals for the acquisition of land or disposal of land, which is not public land.

This Item was dealt with in Closed Council.

13 GENERAL MANAGER**13.1 Grant Report - Emma Tubb**

FILE NO: SF0486

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To receive a report on a grant.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council note the report from Emma Tubb concerning her participation in the National Junior Ten Pin Bowling Championships.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman G W Beams, seconded Alderman A C Peck.

That the Recommendation be adopted.

CARRIED

13.2 Grant Report - Melanie McCullagh

FILE NO: SF0486

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To receive a report regarding a grant.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council note the report from Melanie McCullagh regarding the grant she received from Council to participate in the World Age Triathlon Championships in Canada.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman M E Smart, seconded Alderman J Walters.

That the Recommendation be adopted.

CARRIED

13.3 Formation of a Joint Authority

FILE NO: SF2249

AUTHOR: Bob Campbell (General Manager)

DECISION STATEMENT:

To form the NTMO into a Joint Authority.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

Council agrees to the concept of establishing the NTMO as a Joint Authority. Participation in the joint authority is subject to Council approval of the rules.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman G W Beams, seconded Alderman R W Shipp.

That the Recommendation be adopted, with the words "...concept of..." being substituted by the words "...discussions on...".

CARRIED

The Mayor adjourned the Meeting at 3.32 pm.

The Mayor reconvened the Meeting at 3.44 pm.

13.4 Annual General Meeting

FILE NO: SF0098

AUTHOR: Gary W Stokes (Manager Civic Affairs)

DECISION STATEMENT:

To consider the format for the Annual General Meeting.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

That Council determine the format for the Annual General Meeting.

DECISION: 10/09/01

RESOLUTION:

Moved Alderman J Dickenson, seconded Alderman R J Sands.

That Council adopt the format for the Annual General Meeting of reporting back against the Future Directions in the Strategic Plan, with Alderman MacKendrick nominated as the Alderman to speak along with the Mayor and the Deputy Mayor.

CARRIED

13.5 Current Issues

FILE NO: SF2405/SF0798

AUTHOR: Bob Campbell (General Manager)

DECISION STATEMENT:

To provide a briefing to Council on a range of current issues.

PREVIOUS COUNCIL CONSIDERATION:

Nil

RECOMMENDATION:

This item be dealt with in Closed Council as it concerns proposals for the acquisition or disposal of land which is not public land and information provided to Council on the condition it is kept confidential.

This Item was dealt with in Closed Council.

14 NOTICE OF MOTION**14.1 Alderman Beams - Two Part Water Pricing**

Alderman G W Beams submitted the following Notice of Motion for the Next Council Meeting.

That Council revisit the two part water pricing policy with the intention to have a full investigation into all matters pertaining to the pricing and the reasons some Councils were left out of the equation.

14.2 Divisional Question Time

Alderman I J N Routley submitted the following Notice of Motion for the next Council Meeting.

That Council support the reintroduction of divisional question time at Council Meetings.

Alderman Routley submitted the following supportive arguments.

- 1. To allow Aldermen the flexibility and opportunity to represent rate payers interests in the democratic system.**
- 2. To allow senior staff to brief Aldermen on matters of public interest.**
- 3. To allow time to raise and debate issues of importance which require an immediate response.**
- 4. To provide an opportunity for the General Manager and Divisional Managers to inform Aldermen of Council matters.**

15 REPORTS BY THE MAYOR

Nil

16 REPORTS BY THE GENERAL MANAGER

Nil

17 ALDERMEN'S/DELEGATES' REPORTS

Nil

18 MEETING CLOSURE**RESOLUTION: (1):**

Moved Alderman A C Peck, seconded Alderman R W Shipp.

That Council move into Closed Session to discuss those items previously nominated on this Agenda as Closed Session items.

CARRIED BY AN ABSOLUTE MAJORITY

Council moved into Closed Session at 4.10 pm.

RESOLUTION: (2):

Moved Alderman A C Peck, seconded Alderman R L McKendrick.

That Council move out of Closed Session and endorse those decisions taken while in Closed Session.

CARRIED

Council moved out of Closed Session at 5.32 pm.

The Mayor closed the Meeting at 5.32 pm.